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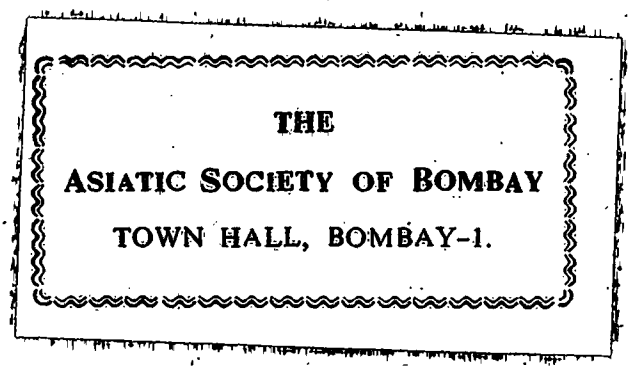


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# REPORT

## of the Commission on Closer Union of the Dependencies in Eastern and Central Africa

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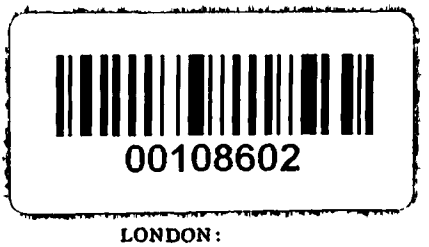
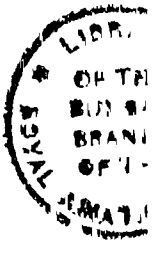
*January, 1929*



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# Report of the Commission on Closer Union of the Dependencies in Eastern and Central Africa.

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(*printed with the Report for convenience of reference.*)

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**To the Right Honourable L. C. M. S. Amery, M.P., Secretary of State for the Colonies.**

## CHAPTER I.

## INTRODUCTION.

SIR,

We were appointed by you in November, 1927, to consider certain questions relating to the closer union of the Dependencies in Eastern and Central Africa, and allied subjects. The terms of our reference are set out in the following terms in Command Paper 2904 of 1927, entitled " Future Policy in regard to Eastern Africa " :—

(1) To make recommendations as to whether, either by federation or some other form of closer union, more effective co-operation between the different Governments in Central and Eastern Africa may be secured, more particularly in regard to the development of transport and communications, customs tariffs and customs administration, scientific research and defence.

(2) To consider which territories could either now or at some future time be brought within any such closer union, and, in particular, how best to give effect to Article 10 of the Mandate for Tanganyika Territory, which provides that the mandatory may constitute the Territory into a customs, fiscal and administrative union or federation with the adjacent territories under its own sovereignty or control, provided always that the measures adopted to that end do not infringe the provisions of the Mandate.

(3) To make recommendations in regard to possible changes in the powers and composition of the various Legislative Councils of the several territories (*a*) as the result of the establishment of any Federal Council or other common authority; (*b*) so as to associate more closely in the responsibilities and trusteeship of Government the immigrant communities domiciled in the country; and (*c*) so as ultimately to secure more direct representation of native interests in accordance with (4) below.

(4) To suggest how the Dual Policy recommended by the Conference of East African Governors (*i.e.*, the complementary development of native and non-native communities) can best be progressively applied in the political as well as the economic sphere.

(5) To make recommendations as to what improvements may be required in internal communications between the

various territories so as to facilitate the working of federation or closer union.

(6) To report more particularly on the financial aspects of any proposals which they may make under any of the above headings.

In pursuance of our instructions we proceeded to Africa in December, 1927, travelling through Egypt and the Sudan to Uganda, and thence through Kenya, Tanganyika, Zanzibar, Nyasaland, and Northern Rhodesia. In each Colony we received verbal and written evidence from all available sources of information, official and unofficial, including the natives and their representatives; we also derived considerable assistance from memoranda and other documents prepared for us beforehand.

In the course of our journey from Nyasaland to Northern Rhodesia, we visited Southern Rhodesia, and from Northern Rhodesia we proceeded to the Cape. We returned to London on 7th May, 1928, where we took further evidence.*

At Salisbury and at Cape Town all information relevant to our enquiry at the disposal of the Governments of Southern Rhodesia and of the Union of South Africa was placed generously at our disposal. We desire at the outset to thank those Governments for their assistance, which has been of the greatest benefit to our enquiry.

In view of the fact that all our formal sittings were held in private, and that several of the witnesses have requested that all or part of their evidence shall be regarded as confidential, we have recommended to you that the evidence given to us should not be published.

We wish to express our warm thanks for the kindness and hospitality so generously accorded to us by the Governments of the Eastern and Central African Dependencies and of Southern Rhodesia, and also by the various public bodies and individuals, both official and unofficial, in all the territories covered by our terms of reference. In each territory the most careful arrangements were made for our transport and accommodation, and convenient office arrangements were made. Everywhere the purposes of our visit were furthered in every possible way and we were given the warmest welcome by all sections of the community. We desire also particularly to thank the Government of the Sudan for travelling facilities on the Nile steamers, and the Government of the Union of South Africa for the travelling facilities most generously accorded to us on our journey through the Union and for the hospitality most courteously extended to us at Cape Town although our formal mission did not include the Union.

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* Details of places visited and evidence received will be found in Appendix I.

Our terms of reference cover a wide field. It might perhaps have been possible, by including in our report nothing more than formal answers to the questions put, to confine our recommendations within the narrow limits of a few practical measures. But there is hardly one of the questions to which even the most restricted answer could be given without first forming a judgment on wider issues, so that without some general explanation of these issues and of the principles on which our recommendations are based our report could not be properly understood.

Broadly speaking, two principal questions have been raised for our consideration; first, *Is Federation or closer union between the different territories of Eastern and Central Africa to be adopted as a means to secure more effective co-operation between them?* and secondly, *What form of constitution is suitable for those territories in which non-native immigrant communities have become permanently domiciled?*

On the first issue, our particular attention is directed to certain administrative services—transport and communications, customs, defence, and research. But we should state at the outset our conclusion that although there do, in fact, exist possibilities for more effective co-operation in these matters of such importance as to deserve serious attention, nevertheless these are of minor significance compared with the need for a common policy in dealing with all matters affecting the present position and future development of the natives, and their relations with the immigrant communities. The chief need in Eastern and Central Africa to-day is that there should be applied throughout the territories as a whole, continuously and without vacillation, a "native policy" which, while adapted to the varying conditions of different tribes and different localities, is consistent in its main principles.

The conclusion thus stated has influenced the whole nature of our recommendations and the arrangement of our report. It has an intimate connection not only with the first of the two principal questions, as just explained, but also with the second. For, whatever constitutional changes are introduced in any local legislatures, they must not be such as to jeopardise the maintenance of accepted principles on the vital matter of native policy, or, expressed differently, if the immigrant communities are to be associated, as suggested in our terms of reference, in the trusteeship for the natives, this must not give them power to vary the terms of the trust.

Thus on both counts we are brought back to the necessity for defining the guiding principles of native policy, and an attempt at such a definition has been made a main feature of our report. The broad outlines have indeed already been laid down by His Majesty's Government in the White Paper of 1923 entitled "Indians in Kenya" (Cmd. 1922) and that* which contains our

* Cmd. 2904.

terms of reference; but there is need now for a more detailed definition and for deliberate thought as to how they are to be applied in practice to the particular conditions which prevail in Eastern and Central Africa.

In attempting to formulate these principles we make no pretensions to define them exhaustively or finally. We have tried to indicate what appear at present to be the most important matters for regulation, but we advocate ample opportunity for local discussion, with adequate representation of the unofficial communities, before any policy is settled, and periodical review for the future. It is indeed neither desirable nor possible to settle at the present day the full course for constitutional development in the territories which we have to consider. Conditions in all are still uncertain and fall short of any approximation to equilibrium. Progress must be tentative and the time has not yet come for bold experiments. It is enough to take one step at a time, leaving the exact nature of succeeding steps for decision in the light of experience thereby gained. But even before the first step is taken some idea must be formed of the general direction to be followed and for this and all succeeding steps the guidance of definite principles is necessary.

The outlook thus stated has led us to consider " closer union " rather in the form of the creation of a Central Authority which could be the instrument for exercising a supervisory and coordinating influence in all vital matters of policy more effectively than can be done by direct control from Downing Street; and it is the keynote of our recommendations on constitutional development in the various territories that the measure of relaxation of detailed official control in the local legislatures must depend on the degree to which effective Imperial control of the main lines of policy can be secured in this and other ways.

It is at this point that we find ourselves confronted with one of the wide issues to which we referred in our opening paragraph. For it appears to us that the problem of devising some form of Imperial control confined to broad issues of policy and commanding the respect and confidence of the local communities, instead of their distrust and opposition, is one for which a solution is needed not only in Eastern and Central Africa but for the proper development of other non-self-governing dependencies. The wider significance which we thus see in the question of the institutions of government extends also to the policy which these institutions are designed to control, particularly to native policy. For whatever action is taken in matters affecting native interests and the relations between natives and non-natives has a significance beyond the particular subject or the particular country immediately affected, and will have its reactions over the whole field of policy and throughout all the territories of Africa. The contact between the white and black races in Africa constitutes one of the great

problems of the twentieth century. It is a problem the solution of which demands a consistent policy carefully thought out, rather than emergency action designed to meet particular difficulties only. It is not safe to allow policy in Kenya to be framed regardless of what is being done in Tanganyika and Uganda. It should be framed for Eastern Africa as a whole. But more than this, policy for Eastern Africa should be framed with regard to experience and policy in all other territories of Africa. South Africa and Eastern Africa have closely connected interests. They can learn much from each other and do much to help each other, while this inter-connection of interests extends even beyond the limits of the British Empire to all other European Powers who are responsible for the administration of African territories. We received striking evidence of the realisation of this inter-connection during our visit to Cape Town.

It is not strictly within the scope of our task to make recommendations as to measures for a wider co-ordination of Imperial policy in Africa; but it is relevant to our terms of reference to state that the territories with which we are concerned are themselves part of a still larger whole, and that if we recommend the creation of a Central Authority for the co-ordination of policy in Eastern Africa, we do so on a principle which has a much wider application and with the definite idea that this would be a step towards a larger scheme, because co-ordination of policy by the Imperial Government for the whole of Africa will be easier if the various small units are first united in homogeneous groups. If this essential unity of African problems is borne in mind, it will help to avoid misunderstandings as to some of our recommendations, and, we hope, to ensure their acceptance. For example, the maintenance of Imperial control over broad questions of policy for a country like Kenya may be less resented as an act of interference with the local communities if it is recognised that Kenya itself is part of the larger whole of the British Empire in Africa for which a common policy is necessary and can only be assured by the existence of a central co-ordinating authority.

While we thus regard co-ordination of native policy as the most important matter for consideration, we do not belittle the value of more effective co-operation in the administrative services. Apart from the fact that these services are often instruments for carrying out measures affecting native policy, efficiency in scientific research, communications, and other important administrative services which affect the economic development and financial stability of a territory, reacts in a universal and searching manner on the daily lives and well-being of every individual, native or immigrant.

But in considering such services the importance of united action in matters where the interests of the various territories are interconnected must not be allowed to obscure the dangers of overcentralisation, and this consideration brings us in this department

also to look for the first step towards closer union in the form of creating a Central Authority with power to settle policy on matters which affect Eastern Africa as a whole, rather than in any premature scheme for unified executive management.

In dealing with the questions which have been put to us, we have found it necessary to base the main framework of our report on a consideration of conditions in the three northern territories of Kenya, Uganda, and Tanganyika. Not only are these the most important of the territories as regards area and population, but they are those in whose interests there is the closest inter-connection. The difficulties of communication make it necessary for the present to treat Nyasaland and Northern Rhodesia separately, while the position of Zanzibar is in many respects quite distinct from that of any of the five mainland territories. In spite of this distinction, the problems which must be considered, at least in all the five mainland territories, are essentially similar and the greater part of what is said as regards principles of policy in the discussion of the three Northern territories is directly applicable to the others.

In accordance with the above considerations, the first part of our Report, covered by Chapters II, III, IV, and V, deals with the factors in the problem which we have to consider: such factors including the physical conditions and population of the territories, the principles which in our view must be observed in native policy, and the forces of which account must be taken, in both the political and economic spheres.

In the second part, covering Chapters VI to XII, we set out our recommendations for dealing with such problems as in our view demand a solution, and in these Chapters we deal chiefly with the three Northern territories. Our views as to the special requirements of Nyasaland and Northern Rhodesia are contained in separate sections following the main Report for reasons explained in Chapter XIII. Our main recommendations with regard to Zanzibar are contained in Chapter XIV. Finally, in Chapter XV, we review the guiding ideas on which our proposals are based and state our recommendations in terms of answers to the questions put to us in our terms of reference. A summary of recommendations appears on pages 288-297.

There is one particular consideration which has been present in our minds throughout all stages of our enquiry and to which we must call attention in this introduction, as it should be present throughout in the minds of those who read our report if they are to avoid misjudging the significance of much that we have to say.

We have in fact been brought to the consideration of the subjects of our enquiry at a time when many important changes have just been initiated, when many more are at the point of initiation or under consideration, and when, generally speaking, a fresh

impetus has been given to thought on all subjects connected with the non-self-governing dependencies.

It might almost be said that a new era was started with the despatch of the Parliamentary Commission under the Chairmanship of Mr. Ormsby Gore to East Africa in 1924. That Commission helped greatly towards a better understanding of the issues, and made many valuable recommendations—notably for the institution of a periodical Conference of Governors of the Eastern and Central African Territories, and for the regular holding of conferences of heads of departments. Other notable changes have also recently been introduced, such as the improvement of pay and other conditions of the civil service in Eastern Africa, the institution of a common East African Medical Service, the appointment of a Medical Adviser at the Colonial Office, the similar appointment of an Economic and Financial Adviser, the holding of a conference in London of Governors and other representatives of Colonial Governments and of an Imperial conference on Agricultural Research. Further changes of a fundamental nature are in contemplation for the organization of a Colonial Agricultural Service, and for an Imperial scheme for scientific research, while we understand that an Agricultural Adviser at the Colonial Office is also shortly to be appointed. There has not yet been time to gain full experience of the effect even of such of these new measures as have actually been introduced. If therefore on the strength of a judgment formed on the basis of conditions as we found them in Eastern and Central Africa we recommend certain further changes, we may be met with the criticism that we have not taken sufficient account of the probable effect of all the new measures which have been or are to be started, nor of the new spirit and wider vision which is being introduced into the Colonial Service, largely indeed as a result of measures for which you have been responsible.

It may be said, for example, if we recommend some closer measure of co-ordination than is afforded by the machinery of the East African Governors' Conference, that there has not yet been an adequate opportunity to test whether the Governors' Conference, operating as it does subject to the single higher control of the Secretary of State, can meet all requirements at the present stage.

We feel that there would be some justice in criticism of this kind, and in several respects this feeling has caused us a difficulty in framing our recommendations. It is indeed quite arguable that the Governors' Conference might have proved itself to be adequate machinery for the next few years. On the other hand, even if it had worked perfectly at the beginning, it is suitable only as a stage in evolution, and the mere fact of the discussions which have taken place, with their sequel in the appointment of our Commission, have hastened the end of that stage and made it less possible to

rely only on the method of conference between equal Governors with real hope of success.

The question of the Governors' Conference raises a clearly defined issue; but the possible effects of all the other new measures to which we have referred are less easy to estimate. We are convinced that they will result in increased efficiency, and if we have based any recommendations on the need for increased efficiency and co-ordination of certain services, we do not wish to be understood as having failed to recognise that much is already being done for their improvement.

There is one further point to which we must call attention in reference to our report. It has been a special difficulty in the case of our enquiry that we have not had the opportunity to discuss a number of our proposals fully on the spot. Not only was our time limited, but we could not form our final opinions until we had visited all the territories, after which we had no opportunity to return for discussion. Therefore, in the case of certain matters, we have had to confine ourselves to general recommendations, leaving the details to be settled after further discussion with the local Governments and communities.

## CHAPTER II.

## THE PRINCIPAL FACTORS IN THE PROBLEM.

A full account of the economic and social conditions in Eastern and Central Africa is given in the Report of the Parliamentary Commission published three years ago (Cmd. 2387), and the information contained in that report is supplemented and brought up to date by the statistics appended to the present Report. We do not propose to go over the whole of the same ground, but it is necessary to give an account of the principal facts bearing on the political and administrative questions that have been referred to us. Any discussion of these questions will be valueless which fails to keep steadily in view the dominant realities of nature and life in Africa.

### The Country and Its Possibilities.

The main factor affecting our problems is the character of the country. The area of the five mainland territories, Uganda, Kenya, Tanganyika, Nyasaland, and Northern Rhodesia, is rather more than a million square miles. The climatic conditions and the soils of this great area are not yet sufficiently known to permit of any final statement regarding its full agricultural possibilities. The soil is by no means uniformly fertile, while there are great variations in climatic conditions. About half of the area of Kenya Colony is semi-arid country. Large areas in other dependencies are, on account of soil or climate, agriculturally poor or

useless, and considerable tracts are infested with the tsetse fly. On the other hand, there are irregularly distributed areas of very considerable extent and importance which possess soils of remarkable depth and high fertility. To the districts of proved agricultural value must be added areas of heavy soil, resistant to the tools and methods of the natives or of small farmers, but which, developed by those having command of adequate capital and machinery, might prove highly productive.

The relative importance of the main products of the territories can be seen from the statistical tables (Appendices IV and VI). At present the principal export crops produced by immigrant enterprise are coffee, sisal, maize, and tobacco, while the chief exports of native production are cotton, maize, groundnuts, tobacco, coffee, and hides. The possibilities for permanent crops such as coffee, which require special conditions of soil and climate, are perhaps limited, but the output of the other crops mentioned, as also of such articles as rice, sugar, starch crops, and the secondary production of power alcohol, might attain immense proportions if there were a sufficient market. A ruling consideration affecting the opportunities for developing all these crops is the extent of the world's demand. The economic demand for food and raw materials from tropical and subtropical countries is not inexhaustible, and it must be remembered that within a generation the whole of tropical Africa has been added to the potential sources of the world's supplies.

Great variations in temperature and general climatic conditions occur over the area owing to variations in altitude, and it is, of course, this factor which determines the possibilities of European settlement. For the purpose of illustrating the position maps have been prepared (Maps I and II) showing the contours of 1,500 metres and 2,500 metres. An approximate idea of the extent and distribution of the districts suitable for European settlement may be gained from these maps. It can only be regarded as a rough approximation, because certain areas both below and above these contours are suitable, and the necessary minimum altitude decreases with the distance from the Equator. The factor of altitude alone does not necessarily determine the suitability of land for development by European farmers. Distribution of rainfall, general humidity, temperature, and soil have all to be tested before a reliable judgment can be formed. It remains to be proved, for example, whether the highland areas lying south of Iringa, in Tanganyika Territory, can compare with areas of similar altitude and rainfall in Kenya, for the colder temperature of the former, and the less even distribution of the rainfall throughout the year, may make a decisive difference.

It is important to realise, especially when weight is placed on economic considerations for determining policy, what wide variations in suitable methods of economic exploitation are possible.

Thus there are some areas which can produce the best economic results from a system of cultivation by natives each working a small holding on his own account. In other areas the most effective system may be the ownership and working by European settlers of comparatively large farms—say a few hundred to a few thousand acres. Yet again there may be areas where development is dependent on artificial works on a large scale—such as an irrigation project or a comprehensive scheme of water boring, the execution of which requires large capital. These variations in conditions must of course greatly influence the part to be played by natives and immigrants respectively and the relations between the two. In the first instance mentioned, all that the natives require is instruction and supervision from agricultural inspectors and the provision of the machinery of trade. In the second, the entry of settlers or planters with sufficient private capital, who will farm estates on their own account and employ native labour, is necessary for development. The third kind of economic exploitation generally involves financial provision on such a scale that it must be undertaken either by a joint stock company, or by the Government, or by a combination of the two.

A good example of the first type is afforded by the development of cotton growing in Uganda. This territory, with its generally fertile soil and evenly distributed rainfall is, more perhaps than any of the territories of Eastern Africa, suitable for development on the basis of small native holdings, while actual experience throughout Africa seems to indicate that cotton (except in large irrigated areas) is a crop best cultivated in this way. Similar conditions suitable for small native cultivators prevail in large parts of Tanganyika and in such areas as the Kavirondo reserves in Kenya.

An example of the second type, that is to say, of territory which can be most suitably developed in larger farms, may be found in the greater part of the highland areas of Kenya. It is clear that an equivalent production of maize, wheat, coffee, and dairy produce could not have been obtained in this area by native cultivators working individually on small holdings.

An example of the third type, that is, of territory requiring a large co-ordinated scheme for its development—such as has been applied in the Gezira area of the Sudan—may possibly be found in the Kilombero and Rufiji valleys of Tanganyika and elsewhere in the southern half of that territory, and possibly also along the course of the Tana river in Kenya.

The economic possibilities in the whole area with which we are concerned are mainly agricultural, but in certain areas there is considerable mineral wealth. The full potentialities in this respect are still unknown. Discovery and exploitation have advanced furthest in Northern Rhodesia, where mines of first-class importance are already being worked at Broken Hill, Bwana Mkubwa,

and other centres. As other instances of undertakings which have already reached the stage of commercial exploitation, there are those for working diamond-bearing formations in Tanganyika Territory between Tabora and Lake Victoria, tin mines in the west of Uganda, and various small gold and copper mining projects. Minerals have also been discovered in the territory around the southern end of Lake Tanganyika, in the Livingstone mountain district at the north of Lake Nyasa, and in the Sumbu area in the southern part of Nyasaland. Nowhere, however, except in Northern Rhodesia is the working of mines the dominant factor in the economic situation. The development of mining on a large scale has an important effect on native society and the relations between natives and immigrants, for it generally involves the concentration of large numbers of natives away from their tribal organizations and in contact with completely new conditions. The change effected is both more widespread and more acute than is normally caused by the demands of immigrant agricultural industry on native labour, and the Government of any territory where this occurs is faced much more quickly with the problem of devising some form of social and political organization for the detribalised native. While mineral possibilities are a contingency not to be lost sight of, it is for all practical purposes a safe assumption that the main economic interest of the whole area which we are considering will always lie in agriculture.

To sum up the purport of the preceding paragraphs, it may be said that the area as a whole has enormous agricultural possibilities, but that it contains a variety of conditions and that its proper development requires thorough, continuous study of all the factors, and the adaptation of methods to varying conditions. A policy based on sweeping generalisations is likely to be dangerous in every field, whether it be policy on economic projects such as railway development, or policy for native advancement and the relations between natives and immigrants.

## The Native Population.

The second dominating factor in the problem is the native population. The native inhabitants of the five mainland territories under consideration are estimated to number about 12 millions. They constitute more than 99 per cent. of the total population.

They belong to tribes diverse in physical type, in customs, in natural capacity, and in the degree of civilisation attained, so that generalisations are difficult and apt to be misleading and dangerous. But the question of the capacity for progress of the peoples of Eastern and Central Africa is so fundamental for our inquiry that some consideration of it is unavoidable.

There are no strictly scientific grounds on which a judgment regarding the degree of progress of which African peoples are

capable can be based. All that we have to guide us are the broad facts of history and of personal experience, and it is not surprising that opinions should widely differ. Those whose contact has been chiefly with raw natives employed as labourers may easily form a low estimate of their capacity for progress. It is true also that the Bantu peoples have never evolved an advanced civilisation of their own. They have never reduced their languages to writing. They have made no roads. One may travel through the length and breadth of tropical Africa without coming across any permanent building or monument of the past which has been constructed by them.

Yet none of these facts is decisive of the future. The present backwardness of African races is capable of explanation by causes, both physical and social, which need not persist. Physical obstacles, which only modern science has been able to overcome, have in the past shut Africa off from external stimulus. Now for the first time the peoples of the continent are being subjected to the continuous influence of an advanced civilisation. What effect it will have on their development only the future can show. It is possible that they may for generations, or conceivably for all time, lack the capacity to maintain all the activities of a complex modern civilisation without support from without. No one can foretell to what level they are capable of advancing, but that they will progress far beyond their present state, and that under the pressure of new forces the advance will be comparatively rapid, seems certain.

That the Bantu peoples are capable of producing natural leaders of marked ability, possessing gifts of organization and statesmanship, is shown by the history of such chiefs as Moshesh, Lobengula, Lewanika, and Khama. The progress of the negro race in America in the half-century since their emancipation has within certain limits been remarkable. Between the years 1866 and 1922 the number of farms owned by negroes increased from 20,000 to 1,000,000. Literacy increased from 10 per cent. to 80 per cent. The negro's capacity to learn and adopt modern methods of farming has been proved by the very large number who have succeeded under the same economic conditions as white men in maintaining themselves and their families in reasonable comfort on the land.

In South Africa 14,000 natives have gained admission to the electoral roll in Cape Colony. The question of the representation of natives in the Union Parliament has during the past two years been one of the main political issues before the country. The political aspirations of the more advanced natives have found expression in the National Congress. Still more significant is the growth within the last few years of the Industrial and Commercial Workers' Union, which claims a membership of over 80,000, has obtained affiliation with the Amsterdam International and is pressing for recognition by the International Labour Organization in

Geneva. Native trades unionism has also made its appearance in Southern Rhodesia. The rise in the native standard of life and in native self-consciousness in South Africa is generally recognised to be one of the outstanding facts in the history of the last quarter of a century.

In West Africa the natives are already taking an important share in the political development of the country. Apart from the highly developed native political and administrative organizations in Northern Nigeria, the Legislative Councils in the Gold Coast and Nigeria contain native representatives. Similarly, in French West Africa the natives take an active share in government. In the Colonial Council in Senegal the natives largely outnumber the Europeans.

In Eastern and Central Africa the various governments have begun in the past few years to give serious attention to native education. In Uganda, Makerere College will in three or four years be undertaking work of university standard. At Tabora in Tanganyika a large institution has been established for the sons of chiefs, where the education will be on the lines of an English public school adapted to the conditions of African life. Within a generation there will be thousands of natives in Eastern and Central Africa able to read and speak English and to absorb modern ideas through books and through the press, and a very much larger number receiving new ideas through the medium of Swahili.

In the economic sphere whatever view may be taken of the extent and rate of the progress of the native peoples, they constitute, notwithstanding their present backwardness, the dominant factor in the territories under consideration. What Eastern and Central Africa produces must be produced largely by their labour. The greater part of the territory is not suited for white settlement, and throughout this area the production of most crops must be in the main native production. Even where European settlement is possible, non-native enterprise must always to a large extent be dependent on native labour. It has already been shown that agricultural exploitation in these territories may take different forms. In all of these the native, whether cultivating his own small plot, or working as an employee of large farmers, or providing his unit of co-operation in a large irrigation project, is an indispensable element in production. The economic development of these vast areas can be brought about only by the united efforts of the whole population, of which the natives constitute the overwhelming majority. Their progress in every direction is necessary to the prosperity of the territories. They must be induced to become willing and increasingly intelligent co-operators in development.

There is already striking evidence of the capacity of natives, even when working on their own account, to produce quantities of export crops of a size quite sufficient to have an appreciable effect on

the trade of the Empire. In Uganda, for example, in 1925 there was an export of about 180,000 bales of cotton, worth over £4,000,000, practically all produced by natives working on their own account, and although there was some falling off in the next two years, the crop for the current season is estimated at about the same number of bales; in addition other crops such as coffee are being taken up by native cultivators. In Tanganyika for 1927 the value of exports produced entirely by natives is estimated at about £1,200,000.

Even when an optimistic view is taken of the possibilities of white settlement in Eastern Africa, it would be true to say that it is not so much as a home for the white race, but as providing a source of supply of food-stuffs and raw materials, and a market for manufactured goods that these territories can become a factor of major importance in the economy of the British Empire. The main contribution that European settlement in Eastern and Central Africa can make to the wealth of the world will be the stimulus it can give to the vast potentialities of native production.*

The native peoples are thus from every point of view a factor of central importance in the whole problem. A far-sighted policy must take account not merely of what they are to-day, after only one generation of contact with Western civilisation, but of what they may become after two or three generations of education.

### White Civilisation.

The third main factor in our problem is European civilisation. Its religion, its stores of literature, political experience and scientific knowledge, its wealth of material resources, hold out, if European civilisation gives of its best, the one great hope of progress for Africa. Western science is alone capable of combating the diseases by which the continent is ravaged. Through Western science alone can its great agricultural possibilities be realised. Only from non-natives can the native peoples obtain the education which will enable them to advance to higher levels of civilisation and to turn to advantage the natural resources of their land.

Western civilisation is present in Eastern and Central Africa in three distinct forms, and it is important for our subject that the distinction should be kept clearly in view. This will enable us to avoid the mistake, which is sometimes made, of identifying white civilisation exclusively with European settlement; or, on

* The Report of Lord Lovat's Committee on Agricultural Services (Cmd. 3049) recently pointed out the important part played by the non-self-governing Colonial dependencies in the trade of the Empire. For 1925 the value of exports to, and imports from, the United Kingdom were £80,000,000 and £61,000,000 respectively. This is obviously capable of enormous development. The total area is about 2,000,000 square miles and the total population about 50,000,000. African dependencies account for a large share in these figures, and a moderate increase in the native standard of living and production would have a large effect on trade.

the other hand, of supposing that it is only when settlement takes place that there is a conflict between the interests of natives and of non-natives. In the first place, in the activities of Governments and of Christian missions the relation of European civilisation with the native peoples is largely paternal. Its functions are those of ruler, guide, educator. Secondly, it is present in Africa in the form of European capital, initiative, and enterprise, directed to the exploitation of the natural resources of the territory, without any attempt on the part of its agents to establish themselves permanently in the country. Thirdly, in those parts of Africa where climatic conditions are suitable, its representatives are Europeans who seek to set up their homes and to create a society in accordance with their own traditions and ideals. All these are alike the expression of white civilisation; it can be identified exclusively with none of them.

It is in practice almost inevitable that the advent of European civilisation should create, if not a conflict, at least a duality of interests between the Europeans and the natives. It might be thought that in the first of the forms mentioned there need only be a single interest—the advancement of the natives. But this interest in itself creates new activities. The government cannot be conducted in a manner consistent with British traditions without some attempt being made to introduce law and order and to improve the material conditions of the people. This involves the establishment of administrative, judicial, medical, agricultural, and other services, and such services can only be provided if a sufficient revenue can be derived from the territory under administration. This revenue cannot be obtained without the development of economic resources, and the establishment of an export trade. As the Government cannot carry out all such activities through its own organization, the entry of private traders and the consequent introduction of the second form of civilisation is inevitable. This has a double significance. In the first place it creates obligations for the Government to consider the interests of the immigrant traders. And in the second place it means that the introduction of the sort of government which British tradition demands into any of the African territories involves setting in motion a process of economic and social change which, once started, cannot be stopped and which sooner or later must inevitably introduce a new form of society. Whether modern European civilisation, so largely dependent for its maintenance and progress on a system of private property and the money-making motive, represents, in spite of its greater material comforts, something which in a true sense is better than the communal organization of the primitive African tribes, is a matter for philosophical speculation. The answer is, in a sense, immaterial to our present enquiry, because, for better or worse, the process has everywhere been started and cannot be stopped. But it is of practical significance to recognise that the mere introduction of good administration into the primitive

African countries inevitably starts a process of fundamental change in native conditions, and creates a second class of interests side by side with those of the natives, which a just Government cannot afford to ignore.

But it is when Western civilisation is introduced in the third form, of permanent settlement, that the problem of dual interests becomes most difficult. For in the case of permanent settlement new complications tend to appear in the form of competition between immigrants and natives for the ownership of land, of urgent and rapidly-increasing demands for labour, and lastly, of the political problem caused by the natural desire of the settler for self-government.

It will be clear from this analysis, on the one hand, that it is not only through permanent European settlement that the benefits of contact with Western civilisation are to be obtained for Africa, and, on the other hand, that it is not only when there is such settlement that the difficulties arising from a duality of interests occur. The extent to which non-native settlement may be encouraged must depend on the natural conditions. There are in Eastern and Central Africa considerable highland areas where the native population is sparse, and where, as we have already pointed out, undoubtedly the best results can be obtained by a system of large farms in the ownership of settlers. Where there is a place for it, and the settlers are of the right type, white settlement can become a powerful reinforcement of Western civilisation and increase the benefits which that civilisation can bring to the peoples of Africa. It is quite certain, for example, that nothing like the present development of the highlands of Kenya could have been achieved without the introduction of a vigorous community of European settlers. While this development has increased the wealth of the world it may at the same time benefit the natives since on the best European farms natives may receive, through contact with their white masters, an education more practical and more formative than anything that they can be taught in the schools. Notwithstanding the difficulties to which it gives rise, white settlement provides a stimulus and example which may in the long run promote and hasten the progress of the natives.

The export figures for Kenya and Tanganyika illustrate also the value of the enterprise of European immigrants in helping to take full advantage of all the economic possibilities. The existing coffee and sisal industries could not have been built up without European management, while European farmers making use of machines have opened up new possibilities for such crops as maize and wheat. European farmers in Kenya produced coffee to the value of £1,140,000 for export in 1927, sisal to the value of £468,000, and maize to the value of £430,000. In Tanganyika for the same year the sisal exports were £1,160,000. Enterprise of this kind is of great value to a territory, especially in the early days of administration.

Since the political problems with which we are concerned arise almost entirely from the existence of European settlement, it is necessary to form some idea of the present extent of white settlement, of its possible growth, and of the probability of its being able to maintain and perpetuate itself.

We give the figures taken from the last returns available of the total European community (including Government officials and women and children) in the five mainland territories and, so far as statistics are available, of those returned as engaged in agriculture :

| | *Total Europeans.* | *Engaged in Agriculture.* |
|---|---|---|
| Uganda ... ... | 1,752 | — |
| Kenya ... ... | 12,529 | 2,199 |
| Tanganyika ... | 5,274 | — |
| Nyasaland ... | 1,716 | 415 |
| Northern Rhodesia | 5,581 | — |

The total number of Europeans affords no guide to the number permanently resident in the country, and there is no means of ascertaining accurately the latter figure. A large proportion of the European population consists of officials, missionaries, and traders who have no intention of settling in the country. Of those returned as engaged in agriculture a proportion (in Kenya a third) are employees and many of these may not intend to set up permanent homes. Even of those who own estates a considerable number do not intend to settle finally in Africa and to bring up their children there. It is doubtful whether of the 20,000 Europeans in the three northern territories of Uganda, Kenya, and Tanganyika as many as a third (i.e., 6,000 or 7,000 including women and children) can be regarded as having their homes permanently in the country. On the other hand, it must be borne in mind that settlement in these areas is comparatively recent and that the number of children born in the country is increasing from year to year.

A further guide to the extent of white settlement is found in the amount of land alienated to non-natives. The figures for the different territories are as follows :—

| | *Total area. Square miles.* | *Alienated to non-natives. Square miles.* |
|---|---|---|
| Kenya ... ... ... | 208,320 | 10,511 |
| Uganda ... ... ... | 110,300 | 253 |
| Tanganyika ... ... | 373,494 | 3,430 |
| Nyasaland ... ... | 39,964 | 6,268* |
| Northern Rhodesia ... | 291,000 | 18,197† |
| | 1,023,078 | 38,659 |

* Including 4,300 square miles held by the British South Africa Company in Northern Nyasaland.

† Including 14,300 square miles held by the North Charterland Exploration and British South Africa Companies.

As regards further alienation of land for non-native settlement, in Uganda there is little or no land available. It is estimated that, after excluding the sparsely populated areas in the north and deducting the areas of water, swamp, and forest in the rest of the Protectorate, the remaining land allows only ten acres per head of population. It may be concluded that there is no room in Uganda for non-native settlement on any considerable scale. In the Kigezi district, which has been suggested as climatically suitable for white settlement, half of the total area of 2,000 square miles is unsuitable for cultivation, and the district has a native population of 177,000. There may be room for a few white farms as examples to the natives of modern methods of agriculture, but not for any settlement on a large scale.

In Kenya, besides the land already alienated, about 1,500 square miles have been surveyed for alienation and a further 3,000 square miles have been earmarked for possible alienation. The rest of the Colony, apart from the native reserves, is forest, waste land, or semi-arid country which demands a considerable amount of capital for development by expensive water schemes. The census report of 1926* states that, apart from land already alienated, there is very little Crown land suitable for farming on a small scale, and so, failing the opening up of fresh land as a result of well-boring, an increase in settlement can be promoted only by the sub-division of existing estates.

In Tanganyika the principal area of non-native settlement is in the Moshi and Arusha districts, but the limits of alienation in this neighbourhood have been approached. The pressure of the growing native population in these districts is already making itself felt. The chief other area in Tanganyika suitable from the point of view of climate for white settlement is the south-western highlands. In the Iringa Province there are about 25,000 square miles of high country, but the general suitability of this tract as we have already stated remains to be proved. Moreover the extent of effective native occupation is not exactly known and the prospects of white settlement must remain uncertain until detailed surveys have been completed. As regards the remainder of Tanganyika the choice of areas available for white settlement is limited, either for climatic reasons or on account of the density of the native population. We were informed that there were some favourable tracts lying to the north of the Central Railway, west of Dodoma. But too little is known of the country to make any accurate estimate. Such areas as there are would be small in relation to the total country and would be surrounded by predominantly native areas.

The land alienated in Nyasaland includes 4,300 square miles owned by the British South Africa Company in the

* Report on the non-native census, Kenya, 1926, page 12.

district of North Nyasa. The development of this large estate is dependent on the improvement of communications. The rest of the land alienated is in the Zomba and Blantyre districts in the south, where the land available for natives is already insufficient for their requirements and further alienation to non-natives is consequently impossible. The remaining part of the Protectorate, with the exception of a few scattered and relatively small areas, it is proposed to set aside as Native Lands.

In Northern Rhodesia, of the 18,000 square miles that have been alienated, nearly 10,000 are held by the North Charterland Exploration Company and 4,300 by the British South Africa Company. Only a small proportion of the areas owned by these companies has been developed, European settlement being confined practically to the neighbourhood of Fort Jameson, where a tobacco-growing industry has been established. Future development will depend largely on the improvement of communications and on the discovery of minerals. Most of the settlement on the rest of the alienated land adjoins the railway, the chief areas being the agricultural district on both sides of the Kafue river and the mining area about Broken Hill and Bwana Mkubwa. More than one-third of the total area of the Protectorate has been set aside for native reserves.

It will be apparent from the above figures that the areas in which white settlement is likely to take place, while considerable in themselves, are limited in extent and small in proportion to the total area. The white population which they can support is a matter on which it would be unsafe to prophesy. In agriculture it must depend on the type of farming suitable in the different areas, and also on the supply of labour available. The discovery of minerals in large quantities would lead, as it did in South Africa, to a large influx of population, but, except in Northern Rhodesia, no large mineral developments are at present actually in sight.

As regards the further question of the ability of white settlement to take permanent root in the highland areas of Eastern and Central Africa and to perpetuate itself opinion is sharply divided both among medical authorities and among settlers themselves. Among the latter some assert confidently that Eastern Africa is a white man's country, while others say that to maintain full health and vigour a holiday at home is needed every few years. It has been proved that Europeans can live a healthy life in the highland areas, but prolonged residence is apt in many instances to produce a nervous strain, even though physical fitness is otherwise maintained. There is not yet sufficient experience to judge whether children born in the country maintain the vigour of the stock. Here again opinions based on the limited evidence available differ widely.

The difficulties which confront white settlement in Eastern and Central Africa are not only climatic, but social. European settlement in these territories does not constitute a self-sufficing community. As in South Africa, it is economically dependent on non-European labour. In contrast with South Africa not only unskilled, but semi-skilled and skilled work is mostly done by Indians and Africans. Nearly all the retail trade outside the big centres is in the hands of Indians. Climatic conditions in the greater part of the country make a colour bar impossible. Natives are being trained as carpenters, blacksmiths, fitters, masons, motor drivers, engine drivers, signallers, stationmasters, telegraphists, and for other similar occupations. Since all the unskilled, and increasingly the greater part of the skilled, labour of the country will be performed by natives, the only opportunities for Europeans apart from farming will be found in the professions and in positions of management and oversight. Consequently those Europeans who through lack of natural ability or through insufficient education are unfitted for the higher posts will be unable to find employment, since the only work of which they are capable can equally well be done by natives at a much lower rate of pay.

There thus arises the grave problem of the " poor white " which presents itself wherever two races with widely different standards of living exist side by side and come into economic competition. This problem has already made its appearance in Kenya but it is not yet present in an acute form. Settlement in the territories of Eastern and Central Africa has not, except in a few isolated cases, got beyond the stage of one generation, and the first generation of settlers is naturally of a high quality because the difficulties of obtaining a first footing in a new country operate as a process of selection. But as time goes on, a community which has not been subjected to any such process, will grow up, and it cannot be expected that among the descendants of the first comers all will maintain the original high standard. There is no apparent means by which the problem of the poor white can be wholly avoided. While such evidence as is available suggests that the general level of ability is at present higher in the white race than in the black, that evidence at the same time makes it clear that there is a definite overlapping in respect of intelligence as between the two races. A certain proportion of white children, that is to say, in their hereditary endowment may fall below the capacity of the more advanced natives. The difficulties can be mitigated, but not entirely avoided, by the white community providing for all its children an education which will equip as many of them as possible for filling the higher posts remunerated at a scale that makes it possible to maintain the European standard of living. But it will obviously be difficult for a small and largely scattered community to provide what must necessarily be a very expensive system of education.

It will thus appear that European settlement in tropical Africa must be regarded as still in the experimental stage. This does not diminish its present importance. While it creates new problems, it is rendering, as has been shown, important services to Eastern and Central Africa. It represents an immense fund of energy introduced into these territories. Though its present dimensions are small, it has an enhanced importance through its association with the larger European civilisation of which it is the outpost. Among the present inhabitants of the territories, the initiative and the political capacity are to a large extent concentrated in the European community. It is a manifestation of living energy, charged with purposes and ideas which must profoundly influence the future of Eastern and Central Africa.

## The Asiatic Question.

The human problem in Eastern Africa is not simply one of finding the right adjustment of the relations between the white and black races. To the three main factors in the problem already considered must be added a fourth, namely, the presence of a considerable Asiatic population.

In Kenya particularly the political representation of the large Indian community has been a matter of controversy in the past and requires special consideration in relation to the constitutional issues raised by our terms of reference. There is no acute question except in that territory, and the following paragraphs refer, except where otherwise stated, particularly to Kenya.

At the last census the immigrant population of Kenya was classified as follows :—

| *Europeans* | *Arabs* | *Indians* | *Other Races* | *Total* |
|---|---|---|---|---|
| 12,529 | 10,557 | 26,759 | 3,824 | 53,669 |

Of the " other races " the most important are the Goans, Baluchis, and Seychellois.

### The Arab Community.

Emigration from Southern Arabia to Eastern Africa dates from the earliest times. Internal dissensions in Arabia in the eighth century led to the establishment of independent Arab States on the African coast. The advent of the Portuguese in 1498 was followed by two centuries of strife between them and the Arabs, but eventually the Arabs from Oman became undisputed rulers of the coast. Arab traders penetrated far into the interior and established a route through Tanganyika to the Great Lakes, but their effective occupation of the mainland was confined to a strip of about 10 miles wide along the coast. In 1887 the Kenya part of

this strip was leased to the British East Africa Association, and in 1888 the remainder was leased to Germany. Arab sovereignty is still maintained in Zanzibar, where there is an Arab population owning most of the land. The Arabs flourished on the proceeds of the slave trade. Large numbers of slaves were exported to Asia, and others were employed as labourers on plantations in the coastal strip. There are still many Arab landholders in this area, but they are no longer prosperous. The Arab community is represented on the Legislative Council of Kenya by one elected and one nominated member, the latter being an official.

### The Indian Community.

The connection of India with the East Coast of Africa is of very long standing. Several references in the Puranas show that the ancient Hindus had a fairly accurate idea of the locality and its peoples. The voyages of Vasco da Gama at the end of the 15th century opened up direct sea communication between the two countries and stimulated trade. When the Arabs drove out the Portuguese from Mombasa at the end of the 17th century that trade languished but did not die out. In 1811 Captain Smee of the East India Company reported that there was a considerable interchange of goods between Zanzibar and various ports on the Bombay coast, especially Surat. Colonel Rigby in 1860 reported that nearly all the shops in Zanzibar were kept by Indians, mainly of the trading classes of the Bombay Presidency, both Hindu and Mohammedan. Sir John Kirk, who was first Indian Political Agent and then Agent and Consul-General at Zanzibar from 1866 to 1887, stated in his evidence before the Sanderson Committee on Indian Emigration in 1910 that the whole trade of Zanzibar was in the hands of Indian merchants when he went out there in 1866 and that there was then no English trade. He added—"But for the Indians we should not be there now. It was entirely through gaining possession of these Indian merchants that we were enabled to build up the influence that eventually resulted in our position."

A new Indian element was introduced in 1895 when the British Government took over the direct administration of the territory previously assigned under charter to the Imperial British East Africa Company, and decided to construct the Kenya-Uganda Railway. At first an attempt was made to carry out the work by native labour, but it was found impossible to obtain a sufficiently large or continuous supply, and an appeal was therefore made to the Government of India for assistance. Eventually the work was completed mainly by Indian labour from the Punjab.

The majority of the Indian labourers returned to India on completing their term of service on the railway, but a certain number remained. A few settled on the land, as market gardeners near the coast ports and Nairobi, or as farmers at Kibos near Kisumu,

where they or their successors are growing sugar and other crops on a considerable scale. Others found work as artisans, chiefly as carpenters or engineers, and still more of them became petty traders and money-lenders. The railway itself found it necessary to retain the services of a considerable number, both for clerical work and for skilled and unskilled labour. The clerical staff was almost entirely Indian, chiefly Goanese, and the overseers of the labourers were about half Indians and half Europeans. The unskilled Indian labour has since been replaced by native labour and in recent years the supply of skilled African labour has greatly increased and is being utilised to a growing extent in place of the more expensive Indian artisan.

There can be no doubt that in the past the Indian community has played a useful, and in fact an indispensable, part in the development of these territories. Apart from the construction of the Kenya-Uganda Railway, the services of Indian artisans and mechanics have been widely used by the public at large on works for which European agency would have been too costly and which the native is not yet fitted to perform. The Indian trader has been a potent factor in the process of civilising the African. The "dukawala," or petty shop-keeper, has carried his wares far and wide into remote native areas, and introduced the products of European industry among the most primitive tribes. By increasing their wants he has created an incentive to effort and thus sown the first seeds of economic progress. The Indian dealer has performed another useful function in marketing the products of native agriculture. For instance, the greater part of the valuable cotton crop in Uganda is handled by Indian buyers, and their activities have undoubtedly stimulated the spread of cotton cultivation. We have heard complaints of unfair dealings by Indian traders, both as buyers and sellers, low prices secured by the former and exorbitant prices charged by the latter, and false measures used by both. Such charges are brought against middlemen all the world over, and no doubt the ignorance of the African offers special opportunities to the unscrupulous. But the middleman generally survives as a necessary link in the chain of distribution, and it must be recognised that the Indian middlemen are doing useful work for which no other agency is at present available. The European cannot afford to trade on the small scale and with the small margins on which the Indian subsists, and the African generally is not yet sufficiently advanced to do so.

It will thus be seen that in the economic organisation of the Eastern African territories the Indian, both as trader and as artisan, occupies an intermediate position between the European and the African. The question whether the Indian hold on that position is likely to be strengthened or weakened in the future, and consequently whether the Indian population may be expected to increase or decrease, is of some importance in connection with

the controversy regarding the political status of Asiatics. Apart from the possible effect of immigration restrictions, to which we shall refer later, the following economic tendencies have a close bearing on this question.

As regards artisans and mechanics, there is already a certain amount of active competition between the European and the Indian, as for instance in motor driving and in various branches of engineering, and that competition will increase wherever white settlement establishes itself on a permanent basis. Among the native-born Europeans there will always be a certain number unfitted by nature for more intellectual pursuits, and in the absence of the colour bar, these men will have to compete on equal terms with the Indian mechanic and artisan. It is by no means certain that the Indian will come off best in this competition, because he has a higher standard of living in Africa than in India and consequently demands higher wages, and he is threatened on the other flank by the increasing efficiency of cheap African labour. The Bantu has undoubted capacity for mechanical work of a certain type. There are over 1,200 artisans employed in the railway and marine workshops, and 160 apprentices, many doing excellent work. They appear, however, to prefer repetitive tasks where no initiative is required and where the workman is little more than a cog in the machine. The day-to-day monotony has no terrors for them and the work seems to make very little mental impression on them. We were told that when they go back to their villages they show no desire for regular work and make no attempt to turn to account the knowledge that they have acquired in the workshops. It is possible that, if their mechanical training were superimposed on the basis of a better general education, they would become more intelligent workmen, but so far as we were able to judge from their present state of advancement, the competition of the native artisan with the Indian is likely to be more effective in mechanical processes than in tasks which require more initiative and resource. On the whole it appears improbable that the Indian artisan, in the near future at any rate, will be wholly squeezed out between the European and the African, though the competition from both sides makes it unlikely that there will be any substantial increase in numbers.

With regard to retail trade European competition is limited at present to comparatively large shops, mostly in towns. The main rival that the small Indian shopkeeper will have to face in the future is the African. The natives generally are not yet sufficiently educated to engage in this trade, but native shops have already been started in some parts of the reserves, and their numbers are almost certain to increase with the advance of education. Whether this increase will keep pace with the pioneering of the Indian trader it is impossible to say, but it will certainly operate as a limiting factor on

the growth of the Indian population. As regards the marketing of native produce the Indian will have to meet increasing European competition. In Nyasaland the native growers of cotton and tobacco are glad to sell their produce to agents of British companies, and in Uganda a part of the cotton crop is marketed by European buyers. This is a field in which European enterprise seems likely to be able to hold its own.

The only other industry which has been suggested as likely to lead to a large influx of Indian immigrants is agriculture. In the White Paper of 1923* His Majesty's Government finally confirmed the policy, which had been approved by Lord Elgin as Secretary of State for the Colonies in 1906, of reserving the agricultural land in the Highlands for grants to Europeans and of restricting transfers of these grants in such a manner as practically to confine the occupation of land in these areas to Europeans. At the same time it was announced that an area of land in the Lowlands would be temporarily reserved for Indians under similar conditions in order to ascertain by experience what demand there was on their part for agricultural land. In accordance with this decision two areas were provisionally earmarked for this purpose, viz., 100,000 acres on the south of the Tana River, and 1,000,000 acres to the north of the Voi-Taveta Railway, and the Eastern Africa Indian National Congress was invited in January, 1924, to co-operate with the Government in drawing up a scheme of settlement. The Congress replied that it would send a party to inspect the land, but the party was not actually sent until about a year later. Meanwhile the Government of India were asked whether they wished to depute an officer experienced in Indian settlement and agricultural methods to report on these two areas, but the Government of India eventually decided that it would be inadvisable to act on this suggestion. Finally the Eastern Africa Indian National Congress reported that the party which they had deputed to inspect the land had been unable to furnish a report of any appreciable value, and there the matter rested. The truth seems to be that there is no real demand at present for Indian settlement in these areas.

Nor is there any likelihood of agricultural settlement from India on a large scale. Such settlement in other distant countries overseas has almost always originated in the assisted emigration of labourers financed by their prospective employers. All forms of assisted emigration of agriculturists, whether as labourers or settlers, are now prohibited by Indian legislation except where a definite scheme, which would have to be guaranteed by the Government of the country of immigration, is approved by the Government of India with the concurrence of the Indian Legislature. It is highly improbable that the Government of Kenya would be willing to

* Cmd. 1922.

finance any scheme of a kind acceptable to the authorities in India. There remains the bare possibility of unassisted emigration; there have been occasional attempts by small parties of agriculturists from Northern India to emigrate of their own accord to other countries as a result of the pressure of population on the soil in their home villages; but such persons cannot as a rule take enough money with them to acquire and develop land in new countries, and they are not likely to attempt land settlement in Kenya in any considerable numbers.

The clerical classes constitute another element in the Indian population which deserves a passing reference. We have already referred to the railway staff, and there are also many Indian clerks employed in other Government departments, and commercial offices. As the education of the natives progresses, African competition may be expected to become more and more effective in this field, and a decrease seems just as likely as an increase in the number of Indians employed.

Our general conclusion from the above considerations is that economic forces are already operating as a check on Indian immigration and are likely to operate still more strongly in the future. This conclusion is corroborated by the results of the last non-native census in Kenya. In the Report for 1926* it is stated that in the five years 1921-1926 " the increase in the Indian population was 3,937 or 17 per cent., but if allowance is made for the cession of Jubaland and the exclusion of the Baluchis the probable rate is 21 per cent. This increase is more than accounted for by the 4,607 children in the age group 0 to 5, so it appears that the number of Indian immigrants is at least equalled, if not exceeded, by the number who have left the country."

During the same five years the European population increased by 30 per cent.

### Restrictions on Immigration.

In the White Paper of 1923† the question of controlling immigration into Kenya was discussed and two principles were laid down, viz.: (1) that His Majesty's Government would not countenance the introduction of any legislation involving racial discrimination between immigrants from different parts of the British Empire, and (2) that immigration policy must be governed by purely economic considerations, and that strict regard must be paid to the interests of the African.

In pursuance of this second principle the Governor of Kenya was instructed, in concert with the Governor of Uganda, to submit proposals for giving effect to that amount of control of immigration which the economic interests of the natives of both Dependencies might require. Attempts were then made to ascertain the extent

* Report on the non-native census, Kenya, 1926, p. 15.

† Cmd. 1922.

of Indian immigration, but no reliable statistics were found to be available, and the Secretary of State for the Colonies accordingly made the following announcement in the House of Commons in August, 1924 :—

> " My position is that if the danger arises of such an influx of immigrants of whatever class, race, nationality or character as may be likely to be prejudicial to the economic interests of the natives, I hold myself entirely free to take any action which may be necessary. The conflicting statistics which have been laid before me have not enabled me to reach a definite conclusion as to the extent of the net Indian immigration. Accordingly steps will be taken to create a statistical department to obtain accurate information with regard to persons of all races arriving in, or departing from, Kenya. Meanwhile, the Kenya Immigration Ordinance will not be enacted."

A statistical bureau was subsequently set up, but it has not yet succeeded in compiling the figures required owing to the fact that immigrants to, and emigrants from, practically the whole of Kenya and Uganda and part of Tanganyika pass through the port of Mombasa, and no satisfactory means have yet been devised for distinguishing between the destination, or origin, of these different streams. We have consequently been unable to obtain later or more reliable figures than those given in the Census Report for 1926 which we have already cited.

But even if the Indian population of Kenya does not increase materially it will always be an important factor which must be taken into account in attempting to solve the political problem.

### South Africa and Eastern Africa.

The maps at the end of the Report illustrate a geographical fact which is of great importance in relation to the problems of Eastern and Central Africa, namely, that the high plateau of land more than 3,000 feet above sea-level which forms the greater part of the Union of South Africa and nearly the whole of the Rhodesias extends right up through Eastern Africa into Abyssinia. For considerable stretches the elevation is over 5,000 feet. The result is that the highland areas, notwithstanding their proximity to the Equator, enjoy a climate scarcely less agreeable than that prevailing in the southern temperate zone. Although, as has already been pointed out, it is not yet certain to what extent the white races can take permanent root in these tropical regions, the geographical conditions indicate that if white settlement does succeed in establishing itself it will occupy a more or less continuous belt stretching from the Cape to Kenya. It is natural that the ideas and tone of thought prevalent in the much larger white community in South Africa should exert an influence on the thinking and outlook of the small communities further north. Among those

whose lives are rooted in the soil of Africa there exists a bond of a common experience and of mutual understanding which is lacking in those whose contacts with the continent are more superficial and transient.

Notwithstanding these links of geography and of sympathy, there are two deep and far-reaching differences between conditions in South Africa and those in Eastern Africa.

In the first place, the effect of the difference of climate between the temperate and the tropical zones is an important and as yet imperfectly known factor. In South Africa if the black population were to disappear the white community could, with however great difficulty, adjust itself to the change; whereas in the tropics, at whatever altitude, non-native enterprise is in a far more fundamental way dependent on native labour. Moreover, as has already been pointed out, a colour bar in Eastern and Central Africa is for climatic reasons impossible, and a far larger proportion of the general activities of the country than in South Africa will be undertaken by natives. The material prosperity of the white community is inseparably and permanently bound up with that of the black, and white settlement and enterprise can be maintained only through the co-operation of the native races.

A difference no less fundamental lies in the relative proportions of the two races. The white population of the territories with which we are dealing is only one-eightieth of that of South Africa, while the native population is more than twice as large. While in South Africa the proportion of white to black is 1 to 4, in Eastern and Central Africa taken together it is at present less than 1 to 400. After every allowance has been made for the possible increase of the white population, the differences between the numbers of the two races and between the areas occupied by each makes the problem of Eastern Africa quite different in character from that of South Africa. As you have stated in the House of Commons, Eastern Africa, while "it can never remain a purely black man's country, is never going to become a white man's country, even in the sense in which South Africa has become a white man's country. It is a country in which the native races will always form the dominant element of the population, and their interests will be paramount."*

## The Unity of Eastern Africa.

The five mainland territories with which we are concerned are physically connected, with no great natural barrier dividing them.

The political boundaries are to a large extent the result of historical accidents or administrative convenience and have no natural justification. The Kavirondo country in Kenya was at one time included in Uganda. The vast area inhabited by the single tribe

* Parliamentary Debates, 19th July, 1927, p. 287.

of the Masai is divided between Kenya and Tanganyika. The natural links of a large part of North-Eastern Rhodesia are with Nyasaland. The high plateau which forms the backbone of Central Africa runs through all the territories. Lake Victoria links the three Northern territories by a single inland coast. The type of agricultural production is throughout broadly the same. There are of course, large variations in the crops produced, due to differences in altitude, climate, and rainfall. But these variations do not in any way follow the lines of the existing political boundaries.

These natural conditions of the area are reflected in the native races that inhabit it. The majority are of the great Bantu stock. A single lingua franca, the Swahili tongue, has begun to spread all over the region. Speaking generally the problems which the native peoples present to the administration are throughout the three territories broadly the same.

In characteristics recently acquired the territories show the same similarity. Contact with the outside world, and all the deep-seated changes that it is bringing, has come to them through the same channels and at the same periods. The influence of European explorers, missionaries, traders, and governments came to them all within a few years of each other, and has affected them all in the same way. The course of recent history has eliminated all that was dissimilar in fundamental political conditions in the territories, by bringing them all within the British system. Their constitutions and administrations are now designed upon one model, the British. With minor differences they have, in consequence, similar organs of legislative government and similar administrative machinery.

Subject to administrations deriving their authority from the same source, exposed to new influences similar in their general character and receiving an education based on the same principles, it is inevitable that the natives of these territories should develop in the course of time a common consciousness. Tribal differences may for a long time keep them separate and apart, but the whole tendency of the new forces which have entered Africa is to break down these differences. Already natives in considerable numbers visit neighbouring territories to find employment, and among the natives whom we met in each of the territories we found some knowledge, however rudimentary and imperfect, of what was taking place across the border. It is essential that throughout the area His Majesty's Government should on the larger issues of policy speak with a single voice.

## Imperial Responsibilities.

Out of the total area in Eastern and Central Africa with which our Report is concerned, an area amounting to one-third of the whole, and more than one-half of the northern group of territories, is administered by His Majesty's Government under mandate.

The fact that His Majesty's Government have entered into international obligations in regard to the administration of so large a part of the territory has an important bearing on the problems with which we have to deal.

The nature of these obligations is set forth in Article 22 of the Versailles Treaty and in the Mandate for Tanganyika. The provisions of the former are as follows :—

> " To those colonies and territories which as a consequence of the late war have ceased to be under the sovereignty of the States which formerly governed them and which are inhabited by peoples not yet able to stand by themselves under the strenuous conditions of the modern world, there should be applied the principle that the well-being and development of such peoples form a sacred trust of civilisation and that securities for the performance of this trust should be embodied in this Covenant.
>
> " The best method of giving practical effect to this principle is that the tutelage of such peoples should be entrusted to advanced nations who by reason of their resources, their experience, or their geographical position can best undertake this responsibility, and who are willing to accept it, and that this tutelage should be exercised by them as Mandatories on behalf of the League.
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> * * *
>
> " A permanent Commission shall be constituted to receive and examine the annual reports of the Mandatories and to advise the Council on all matters relating to the observance of the mandates."

It is implied in these provisions that the interests of the native inhabitants must be the determining consideration in the framing of policy and in the administration of these areas. The Mandate for Tanganyika provides in particular that the Mandatory " shall undertake to promote to the utmost the material and moral well-being and the social progress of the inhabitants "; and that " in the framing of laws relating to the holding or transfer of land, the Mandatory shall take into consideration native laws and customs, and shall respect the rights and safeguard the interests of the native population."

The standards of administration so imposed are no higher than those which His Majesty's Government have imposed on themselves. In regard to the other territories in Eastern and Central Africa, the declarations of His Majesty's Government, to which reference will be made in the following chapter, have made it clear that the fundamental principles of policy laid down for both the British dependencies and the mandated area are the same. The new factor introduced by the mandates system is that the administration of backward areas, more particularly in Africa, is to a

greater extent than previously brought under public scrutiny. Under the new conditions His Majesty's Government have not only to satisfy themselves that the responsibilities of trusteeship for the native peoples are being fully discharged, but also to vindicate their policy and administrative methods at the bar of a vigilant and informed public opinion.

In the discharge of the obligations which they have undertaken in regard to the native peoples His Majesty's Government have also to bear in mind their responsibilities towards the British Empire as a whole. In the course of the past century the dominant political problem of the Empire has been that of the relations between the Mother Country and the self-governing Dominions. A problem of perhaps equal importance in the present century will be to establish on a secure foundation the relations between the self-governing and the dependent parts of the Empire and between the white and the coloured races. This problem of the Empire presents itself in a peculiarly vivid and concentrated form in Eastern and Central Africa, and to the instinctive recognition of this fact may be due the widespread public interest in East African questions in recent years. The central problem of Eastern and Central Africa is to discover a basis on which white and black, with Asiatics as well, can live together under conditions of rapid economic change, and with adequate opportunities for political development. As compared with West Africa, the contacts of white and black are more extended and give rise to more difficult problems. As compared with South Africa, the contact is still in its early stages, and problems are less complicated, more amenable to treatment, and easier of solution. The manner in which the problems of Eastern and Central Africa are dealt with may influence the whole future development of the British Empire.

## CHAPTER III.

## GENERAL PRINCIPLES GOVERNING THE RELATIONS BETWEEN NATIVE AND IMMIGRANT COMMUNITIES.

The basis of a satisfactory treatment of the problems of government in Africa must be a definite policy for dealing with what is the most difficult part of the task, namely, the fulfilment of the Government's trust for the natives and the regulation of the relations between the native and the immigrant communities. Before we attempt to consider the political problems on which we have to report, it is necessary to ask what are the main objectives of native policy.

The general principles of native policy were ably reviewed in the Report of the Parliamentary Commission. In Chapter II of that Report it was pointed out that the obligation resting on those

responsible for the government of these territories should properly be regarded as a threefold trusteeship :—

*First*, for the moral and material development of the native inhabitants;

*Secondly*, for humanity as a whole (the duty here being to develop the vast economic resources of these territories for the benefit of the whole world—a duty the conception of which has been made familiar by Lord Lugard in his doctrine of the " Dual Mandate ");

*Thirdly*, for the immigrant communities, whose initiative, knowledge, and material resources are necessary instruments in the fulfilment of the first two tasks.

These three obligations, as the Commission pointed out, are not necessarily in conflict. Properly interpreted, they are complementary parts of a single obligation which cannot be fully performed if any of those parts is neglected.

## The Dual Policy.

The Commission maintained that " East Africa can only progress economically and socially on the basis of full and complete co-operation between all races."* They therefore advocated what has come to be known as the " Dual Policy," which is defined in our terms of reference as " the complementary development of native and non-native communities."

In our terms of reference this " Dual Policy " is referred to as that " recommended by the Conference of East African Governors "; but we may also assume that it is the policy accepted by His Majesty's Government. In fact, no other policy is practically possible at the present day. By permitting immigration and the alienation of land to non-natives on the one hand, and on the other hand by declaring itself a trustee for native interests (White Paper of 1923†), His Majesty's Government has already accepted a " Dual Policy." There is an obligation to the natives, and there is also an obligation to the immigrant communities, neither of which can be ignored.

The Report of the Parliamentary Commission, while emphasising that the interests of the immigrant and native communities do not necessarily conflict, made it abundantly clear that this doctrine is unfortunately not alone sufficient to provide a practical policy. However strongly it may be believed that the general, or the ultimate, result to the native races of contact with white civilisation will be beneficial, it is useless to ignore the fact that this contact raises practical problems of the greatest difficulty, and that the two communities,

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* Cmd. 2387, pages 22 and 23.

† Cmd. 1922

in pursuit of what they regard as their particular or immediate interests, may frequently find themselves at variance.

To ensure that the contact of races produces no serious friction and that it does not lead to demoralisation on either side, demands the highest qualities of statesmanship. The decisions in cases where particular or immediate interests are in conflict can only be made in an atmosphere of completely disinterested justice.

Each side must receive fair consideration, and proposals which take no account of the interests of the non-native communities are of little practical value, for the settlement of non-natives throughout Eastern Africa is an accomplished fact. The most difficult question for our consideration is how the " Dual Policy " is to be applied in territories such as Kenya, where permanent settlers are present in considerable numbers. It is, however, also necessary to consider territories where such settlement is a small factor, as in Uganda, and to take into account the effects of the juxtaposition of such differing conditions.

The essential principle involved in the acceptance of the " Dual Policy " is that native interests must be regarded as an end in themselves; i.e., that the natives cannot be treated as a mere accessory to the immigrant communities. The declared policy of His Majesty's Government indeed goes further than this. In the White Paper of 1923* it was laid down that :—

> " Primarily Kenya is an African territory, and His Majesty's Government think it necessary definitely to record their considered opinion that the interests of the African natives must be paramount, and that if, and when, those interests and the interests of the immigrant races should conflict, the former should prevail."

The principle laid down for Kenya in the above passage must be taken as applying *a fortiori* to Uganda, Tanganyika, and Nyasaland. These principles have been re-affirmed in the White Paper of 1927,† the only new development in the policy being that His Majesty's Government are now prepared to consider measures by which members of the immigrant communities can be associated with themselves in the exercise of the trust which they have undertaken for the natives. The trust itself remains inviolable, and it is expressly declared in the later White Paper that " In any such changes it will be essential to maintain the principle that the administration of the Eastern and Central African territories is based on the exercise by His Majesty's Government of a trust on behalf of the African population, and that, while they may now be prepared to associate with themselves in that trust the members of the resident immigrant communities, they are still under an obligation to ensure that the principles of this trusteeship will be observed."

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* Cmd. 1922. † Cmd. 2904.

The wording of the White Paper of 1927, moreover, makes it clear that native " advancement " is to include progress on political lines. The last-mentioned point is brought out in our terms of reference (paras. 3 (*c*) and 4) and by the following earlier passage in the White Paper :—

> " Quite apart from this necessity the dual policy in regard to economic development should have its counterpart in the political evolution of the territories. Every year we are providing more educational facilities for the natives, and although it may be many years before the native can take a direct part in the Central Legislatures, his place in the body politic must be provided for, and steps taken to create the machinery whereby native self-government, at first purely local, and later over larger areas, can be developed."

While the limits of our discretion are governed by the declared policy of His Majesty's Government, we wish to make it clear that we are ourselves in complete agreement with the general principles expounded in the official declarations, and this because we are convinced not only of their justice, but of their expediency. The only alternative to a policy of treating the advancement of the natives as an end in itself would be a policy of consistent and perpetual repression. Such a policy must in the end be doomed to failure in Eastern and Central Africa. In the first place; even on the most optimistic estimate of the future of white settlement in the territories which we are considering, by far the larger part of the country is climatically suitable only for native races. The whole of this vast area adjoining or surrounding the possible " white " areas must be properly administered, and we have shown in an earlier chapter that this involves economic development, civilisation, and the introduction of a process of change in native conditions and ideas which must lead eventually to demands for economic and political advancement. Again, the development of the " white " areas is only possible with the help of native labour, and the natives who come thus in contact with white settlers are inevitably started on a process of education, which again must eventually lead to political demands. This process would go on whether the Government itself initiated a system of native education or not, but, without any proper system of education, it would be infinitely more dangerous.

Lastly, the practical conditions must be taken into account. In point of fact, His Majesty's Government are already committed to courses other than that of repression. In Tanganyika they have accepted a mandate from the League of Nations which puts them under the definite obligation to administer the country for the benefit of the inhabitants. In Uganda the policy actually adopted accords very closely to that of the mandate in Tanganyika, and the natives have become accustomed to a government which has

clearly put their advancement first in its list of obligations. The same principles apply in another adjoining territory—the Sudan. The principles applied in these territories and elsewhere throughout the Empire represent the very antithesis of repression, and it would be impossible, even if it were desired by anybody to do so, to apply a completely contrary policy in any contiguous area under British administration.

Processes have indeed already been started which cannot be stopped and which must inevitably lead to a stage when the native peoples will demand some voice in the management of their own affairs. Wise statesmanship must therefore prepare to lead the natives on a course of steady mental and moral advancement, so that when they realise their power they may be properly qualified to use it.

It is often argued that strong white settlement is essential to ensure the permanence of white civilisation in Eastern Africa. We have already expressed the view that European settlement reinforces in many important ways the influence of white civilisation. The strongest foundation, however, of Western civilisation and of British rule does not lie in the size of the white community, which must always remain a relatively small island in the midst of a greatly preponderant black population, but in the establishment of a rule of justice which will enlist the loyalty of the native people, and strengthen their confidence in British rule.

These questions of native policy have been dealt with so fully during recent years in literary works, political debate, and in the Press, that the argument set out above is, in a sense, a commonplace; but there is some opinion still in favour of courses which could only be consistently pursued as part of a policy of complete repression. It should therefore be stated that, apart from moral issues, repression is not a possible course, not only because it is contrary to the declared policy of His Majesty's Government, but because conditions are such to-day that any attempt to persist in such a policy is doomed to failure.

Acceptance of the principle that the advancement of native interests is an end in itself leaves room for considerable variation in interpretation and application. Difficult questions arise, such as: on what lines and how far is the political advancement of the natives to be pressed? At what pace is this, and economic development, to proceed? In what manner are the relations between natives and non-natives to be regulated, and what recognition is to be given to the interests of non-native enterprise in the development of these territories?

Consideration of these issues leads back to the question of how to interpret the declaration of His Majesty's Government that native interests are to be "paramount." It might perhaps be argued that the phrase attempts no more than to indicate the general spirit in which the policy is to be applied and that it is

a mistake to endeavour to define too closely what it means. It appears to us, however, that nothing is more important than that there should be a clear idea now and at each stage of development what British policy both as regards natives and immigrants is to be, and that this policy should be affirmed not merely as that of one political party but with the concurrence of all. At present vague fears of what may happen in the future as a result of changes of policy at home are responsible for a good deal of the political unrest which is felt among the immigrant communities in Eastern and Central Africa, with its consequent demands for some form of self-government.

The statement that " the interests of the African natives must be paramount, and that if, and when, those interests and the interests of the immigrant races should conflict, the former should prevail " is, if it is to be interpreted without qualification, of a very far-reaching nature, so much so indeed that in some quarters it has come to be regarded either as a threat of injustice, which it is right to resist, or as a pious declaration, which was never intended to be taken seriously. It would be disastrous to allow either interpretation to prevail, and, in the interests both of the native and the immigrant communities, it is important that the doctrine should be more precisely defined. A policy that for all time and in every respect, in any case of conflict, native interests must prevail, can hardly stand without at least some qualification. Indeed the White Paper of 1923* itself proceeds immediately to qualify it by stating that " obviously the interests of the other communities, European, Indian, and Arab, must severally be safeguarded." If the two statements are to be harmonised, one can only conclude that native interests are not intended to prevail to the extent of destroying the interests of immigrant communities already established, and that their " paramountcy " must be subject to this limiting condition. It is in the interpretation of the latter qualification that the practical difficulty lies, for it might easily be given so wide a meaning as to destroy the value of the original declaration.

According to our view the paramountcy of native interests is to be interpreted in the sense that the creation and preservation of a field for the full development of native life is a first charge on any territory, and that the government having created this field has the duty to devote all available resources to assisting the natives to develop within it. But if, after having settled what is necessary for the above purpose, there appears to be room for immigrant settlers—still more if these are likely to assist the advancement of the natives—then immigration can be permitted and even encouraged. Once this has been done the immigrants also deserve consideration, and it is equally a duty for the government to protect their interests, provided that their needs do not

* Cmd. 1922.

involve any interference with the development of the natives in the field that has been created for them.

What therefore is required is, first, to define what are the essential native interests; secondly, to settle what are the conditions which must be created and preserved in order to give those interests a fair field in which to start and an adequate measure of protection and assistance for their development, and, thirdly, to allow nothing to interfere with those conditions.

Subject to these requirements the government must do all in its power to help the immigrant communities. Indeed the essence of our recommendations is that the field of native interests should be clearly defined and safeguarded, not only in the interests of the natives, but also so as to make clear the scope for development of the immigrant communities, and to make it possible for the government within these limits to give them its active and unequivocal support.

The practical application of the doctrine of "paramountcy," so interpreted, and its reconciliation with the interests of the immigrant communities in a harmonious dual policy, are feasible. If the interests of the immigrant communities had in fact been allowed to extend so far as to trespass on what ought to be preserved as the fair field for native advancement, a difficult situation would have to be faced. But we believe that, in the territories with which we are concerned, there is, in point of fact, still time to prevent the creation of any such difficulty.

We believe further, that it is possible to give a definition of essential native interests which will be at least sufficient for settling a practical policy as far as that is necessary to-day, and which will make clear what are the legitimate interests of the immigrant communities and the protection which should be given to them.

The definition of native interests can best be given by considering them under the following headings:—

Land;
Economic development, Government services and taxation;
Labour;
Education;
Administration and political institutions.

It will be convenient in dealing with native interests under these headings to give consideration at the same time to the principles which should guide policy in regard to non-native interests in the same matters, since it is the relation between the native and non-native communities which is the principal problem that we have to consider. The views expressed above as to the importance of having a definite policy on these headings are in accord with the conclusions of the Conference of Governors of the East African Dependencies held at Nairobi in 1926. The summary of

the proceedings of that Conference records that in regard to Land and Labour—the two most important headings—

> "There was general agreement that a definite policy was essential; and further that the Government should make it clear that when a policy had been accepted it was the intention of the Government that it should be acted upon."

We have carefully considered the whole report of this Conference and particularly the agreed memorandum on Land and Labour, which for the sake of easy reference is included as an appendix to this Report.* Although this covers much of the ground with which we are dealing, and although agreement was reached on several important resolutions, we have formed the opinion that there is still a need for a closer definition of policy on many points, and for the control and co-ordination of its interpretation and execution.

It is for these reasons, even though it may involve traversing well-known ground, that we set out our own views on these matters, but in doing so we wish to make it clear that we recommend the fullest local enquiry and discussion before the principles which we formulate are embodied in a definite programme. Further, as we have already pointed out, we do not suggest that policy on any of these matters can be settled now finally and for all time. The exact line of development—particularly of the native peoples—cannot be foretold. This must be carefully watched and policy adapted accordingly. Arrangement should be made for a periodical review of policy, and our recommendations include proposals for this purpose.

## Land.

Land has been put first in our list of essential native interests because of its dominating importance. It may perhaps be said that the following discussion is of no more than academic interest, because the necessity of reserving adequate areas of land for native use is now universally recognised, and the steps to be taken in this matter have for all practical purposes been already settled. It is of course true that the boundaries of native reserves in Kenya have been gazetted, that there is little chance of non-native settlement in Uganda, that much land had been alienated under the German regime before the war in Tanganyika, that the land in the southern part of Nyasaland has been fully disposed of, and that, as regards the northern part of Nyasaland and Northern Rhodesia, a plan for demarcating native reserves, on which legislation is now pending, has actually been settled. There still remains, however, considerable latitude for variation in practical conduct. The future disposal of vast areas of land in Tanganyika and of substantial areas in

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* Appendix VIII.

Kenya remains to be settled, while even when in any territory the boundaries of native reserves have been fixed, there may be different views as to the future handling of such land, and proposals for its alienation to non-natives may actually be put forward. It is not merely the framing of a policy, but its maintenance in the future which has to be considered, and unless governments have fixed principles to guide them in this matter, it may be difficult to resist local pressure backed by very plausible arguments in special cases. It therefore appears very necessary to examine all the factors in the situation and to settle as far as possible fixed principles from which there can be no departure.

The disposal of land is always of fundamental importance in any form of society. Lord Durham referred to it in his Report* on the affairs of British North America as "an operation of Government which has a paramount influence over the happiness of individuals, and the progress of society towards wealth and greatness" and as "the object of deepest moment to all, and the first business of the Government." He insisted that "the disposal of public lands in a new country has more influence on the prosperity of the people than any other branch of Government" and that "upon the manner in which this business is conducted, it may be said that everything else depends."

Land policy in Eastern and Central Africa has an even greater importance than that which is attributed to it in the passages quoted above, for it has a special significance in territories where backward native races and immigrant communities, twenty centuries in advance of them in civilisation and material resources, are living side by side. In these circumstances there is one condition which is essential for the protection of the primitive peoples from injustice. If the native peoples are left in indefeasible possession of sufficient land, not merely to afford them the bare possibility of existence, but to provide them with an adequate opportunity to improve their standard of living according to their capacity, it will be possible for the Government to encourage European settlement without fear of the natives being unfairly exploited. For the Government can then say to the natives "You are not to be deprived of the opportunity to gain an adequate living on your own land. The Government will, within the limits of its financial capacity (which must depend on the measure of your own production and contributions to taxation), organize public services to help you to develop your resources. If you wish to continue living according to your own traditions in a native community you can do so, and if you leave your own land to work for wages elsewhere, it will be of your own free will and not because you are forced to do so as your only means of earning a living."

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* *Lord Durham's Report.* Edited by Sir C. P. Lucas. Vol. II., pp. 203, 242.

Looked at from this point of view, the provision of adequate land for the natives, though it does not alone provide the whole content of a policy for native advancement, is the indispensable foundation of such a policy. Before considering its practical application in the Eastern and Central African territories, it is pertinent to point out how vivid an illustration of its importance is afforded by the position to-day in the Union of South Africa—a country where conditions differ indeed widely from those in Eastern and Central Africa, but where the essentials of the problem of the contact between black and white are the same. South Africa has reached, in the history of its development, a point several chapters in advance of Eastern and Central Africa, and these chapters can teach many lessons. Expressed very briefly, the main problem in the extremely complex situation in the Union to-day appears to us to contain two principal elements; first, the pressure of natives as competitors for employment in the industrial areas where the white race is attempting to establish its own civilisation, a pressure which threatens to undermine that civilisation from within by the menace of lower standards of life; secondly, the pressure of the natives for recognition in the political system and an effective voice in the government of the country, which the white races feel to be a responsibility that properly belongs to them, and that cannot safely be shared with the natives, at least in the present stage of their education and development and with the present feelings of racial rivalry.

The pressure of both these problems in South Africa would be enormously relieved—possibly for the present entirely removed—if there were adequate areas of native lands to which the natives could return as an alternative to competing in both the economic and political fields with the white man. Moreover, it would in that case be possible with justice to apply closer restrictions to those natives who still continued in such competition, as they would then be doing so of their own deliberate and free choice and not under the compelling force of circumstances which made it their only possible means of earning a living. The organisation of special native areas, such as the Transkei territory, affords to the natives who inhabit them an opportunity not only of economic progress, but also of some measure of self-government and political self-expression, with which the natives thus provided for may reasonably be expected to remain content for a long time to come, possibly until they are fit to be absorbed into the main life of the whole community. We found an almost unanimous opinion among the public men whom we interviewed during our visit to Cape Town, that if the wheel of time could be reversed and South Africa could start the process of its development again from the beginning, they would reserve far larger areas for native occupation on the lines actually adopted for the Transkei.

The acceptance of the principle that " adequate " areas of land are to be kept free for native occupation must obviously

involve corresponding limitations on the alienation of land to foreign settlers. The two sides have in fact to be considered together, and, for the purpose of framing a practical policy, two principal questions arise. First, " By what standard is the adequacy of the native quota to be tested?" Secondly, " How is the distribution of ' native ' and ' settled ' lands to be arranged? " That is to say, ought the policy to be one of territorial segregation dividing the country into homogeneous blocks of native reserves and settled areas, or ought non-native settlement to be interspersed among native-owned lands?

There are, if we take the extremes on either side, two sharply opposed points of view, one which regards these countries primarily as fields open for European settlement, subject only to the reservation of areas to meet the minimum requirements of the existing native inhabitants, and the other which envisages them rather as native territories in which limited settlement by Europeans may be permitted on such lands as the natives do not, and are never likely to, need. It is, of course, clear that if the requirements of the natives are similarly assessed in each case, the two views will coincide and the distinction between them will become one merely of sentiment or words. But in practice there is a wide variation between the views on the subject of native needs, while the different methods of approach lead to different methods of treatment. Policy based on the former point of view tends to take the line of demarcating native reserves so as to open the way at once for active encouragement of foreign settlement in the rest of the territory, while exponents of the latter object to the fixing of native boundaries as implying an undue or premature limitation of native rights, and are inclined to proceed only tentatively with the alienation of land to non-native settlers.

It should be noted that in regard to mandated territory, the Permanent Mandates Commission has, with the endorsement of the Council of the League of Nations, expressed the view that " Mandatory Powers do not possess any right over any part of the territory under mandate other than that resulting from their being entrusted with the administration of the territory." The Land Ordinance in Tanganyika declares the lands to be public lands, and that they are " under the control and subject to the disposition of the Governor, and shall be held and administered for the use and common benefit, direct or indirect, of the natives of the territory." While in the British Colonies and Protectorates the land has been declared to be Crown land, His Majesty's Government have pronounced the principle of trusteeship to be no less unassailable in the Protectorate of Uganda and the Colony of Kenya than in the mandated territory of Tanganyika. These declarations may seem to imply a definite commitment to the second of the two views that have been mentioned. But they do not, in fact, finally dispose of the practical

question, since there are large tracts of land in Eastern and Central Africa that are not in effective native occupation. The total population in the British territories in Eastern and Central Africa is only about 12 millions, while India with an area little more than half as large again has 318 millions. In Tanganyika, as the Governor has recognised, there is more land than the people require. Hence there is room for non-native settlement, and its encouragement in these circumstances not only promotes the development of the territory for the benefit of the world as a whole, but leads to greater prosperity in the advantages of which the natives share.

Our views on the issue raised above are set out in the following paragraphs, and it will help to make clear the line of our argument if we preface it with a statement of our conclusions. These are that the extreme view on either side, as stated above, overemphasises one aspect of the matter, and that policy ought to follow a middle course. Before any alienation of land to non-natives is permitted, the Government ought to have a clear idea of the minimum needs for native areas, and whether the exact boundaries are fixed at once or not, sufficient areas for native use should be regarded as a first charge on the territory. The remainder of the land ought not then to be thrown open indiscriminately for settlement, but ought to be dealt with step by step according to a methodical plan, the Government maintaining under its own control for as long as possible substantial areas as a reserve to meet such further requirements as may develop. These conclusions require some amplification.

The basic principle of all our recommendations affecting those territories which have to be regarded as " mixed states " is that there should be kept available for native occupation areas in which the natives can be allowed to develop on their own lines, in a process of continuous evolution. The ideal ought to be to preserve all that is good in the arts and customs, the social and political organisation, and the moral code which they already possess, and to build up from that foundation. While advancement on these lines can be encouraged not only by direct Government action within the native areas, but also outside them by contact with settlers representing an older and more developed type of civilisation, nevertheless, it is on the former that the policy must primarily depend, and it therefore follows that the reservation of adequate areas of land for the development of native communities must be a first charge on the whole territory.

In territories where the greater proportion of the country is not suitable for European settlement or where the pressure for alienation to Europeans is not acute, it may not be necessary, merely as a measure for the protection of native interests, immediately to fix the boundaries of native areas. But even if this step is delayed it is important that the Government should

keep an eye on the more distant future and roughly map out its course.* Otherwise it cannot have any clear policy on the matter of settlement by non-natives and must proceed haphazard. Sooner or later in any territory suitable for European settlement, the time will come when it is necessary to fix the exact amount of the first charge for native areas. The principle remains the same. When, however, the boundaries of native reserves are once fixed they must not again be altered. This is a point of vital importance to which we shall revert below.

If the reservation of areas for native development is accepted as a first charge, it does not necessarily follow that the whole of the remaining territory ought to be allocated for alienation to non-natives. It would in any case be unwise finally to parcel out the whole of any territory in the early days of British administration. Some margin of elasticity for future development should be preserved. What we advocate as a complementary measure to the delimitation of native reserves is that certain further areas should again be mapped out as definitely and immediately available for alienation to non-natives, leaving a balance to be retained by the Government at its own disposal which can be kept free for any of the following purposes: either for addition to the native reserves if this proves necessary, or for further alienation to non-natives, or for sale to natives. The last alternative requires special emphasis. It is obviously important to make some provision for dealing with the class of native who is not satisfied to continue his life under native conditions. Such a class may include some of the best individuals, and these should have an opportunity to settle down, perhaps after a period of long service with a white employer, as independent agriculturists in the country and not be forced to remain as labourers or tenants on white estates or to drift into the large towns. The principle has been adopted in the recommendations of the Land Commission of Southern Rhodesia which reported in 1925. We are impressed with the wisdom of its recommendations in this respect, and it should be a matter of policy in all countries to reserve suitable areas of land for ultimate use in this way. The introduction of such a provision will give an elasticity which, at a future date, may prove of the greatest possible value.

The preceding paragraphs will have made it clear that in writing of "native areas" or "native reserves" we refer to the minimum areas necessary for the development of distinct native communities according to the policy which we are advocating (a policy in fact of development along native lines); that in our opinion such areas should be regarded as a first charge on the territory; and that whether the exact boundaries are to be fixed

* There are other reasons for an early delimitation of native areas, such as the avoidance of wasteful methods of cultivation and destruction of forest areas, etc.

immediately or not, every Government should form a clear idea of what is required for this purpose before permitting any alienation of land to non-natives.

We can now consider the two questions to which we originally called attention, that is to say, by what standards the adequacy of the native reserves is to be tested, and on what principle the distribution of native reserves and settled areas is to be arranged.

The first question is one of fundamental importance and of great practical difficulty. The guiding principle is sometimes stated in the form that the natives must not be deprived of any lands which rightly belong to them, and which may be required for the use, not only of the present, but of coming generations. Such a statement imports two considerations—the rights of possession and the needs of present and future generations. In practice neither of these considerations affords a sure and certain guide in all cases. If possession means effective occupation by a settled population that indeed creates a position which, on grounds both of justice and expediency, ought to be maintained. But there are cases where rights of possession in the form of tribal rights may be claimed over land not effectively occupied and the exact extent of which may be difficult to determine. In many cases such " rights " are of comparatively recent origin, and have been acquired by conquest in tribal wars of aggression, which affords a poor support for an allocation to be based, *ex hypothesi*, on principles of justice.

The main determining consideration must be the needs of the native population; but the expression requires definition, and that given in the memorandum accepted by the Governors' Conference, to which reference has already been made, hardly appears adequate for all purposes.* If the needs of future generations are to be taken into account there is no limit to the area which might be claimed on this basis. If it is assumed—as is not unreasonable—that the native populations, under the better system of administration, both economic and hygienic, which British government ought to bring, will enter upon a period of steady increase, then, however wide the areas reserved, a day will come when they are full, and on that day, if any white settlement at all has been permitted, the native will be able to complain that land which he might usefully have occupied has been alienated to foreign immigrants.

This particular question is indeed one which cannot well be settled on principle alone, and what is really required now is that each Government should settle a programme defining the various areas on the lines which we have recommended, that is to say, first the exclusive native areas; secondly the areas immediately available for alienation to non-natives; leaving in the third place a balance to be held in reserve for future needs. The actual

* *See* Appendix VIII.

boundaries fixed for the native areas must depend in each case on a combination of practical considerations, but the accepted policy ought to be to reserve for native use an area of land sufficient for the existing population, and a reasonable margin for future expansion.

This margin for further expansion will of necessity vary according to the actual conditions and possibilities in each case. As stated above, if a reasonable rate of increase in the population is assumed, a time must come in every case when the area reserved, however large, will cease to be sufficient with the primitive native methods of cultivation. The native must then pass to a second stage in his evolution by adopting improved and more intensive methods of cultivation. After that must come further stages, characterised by the introduction of other forms of employment, and, eventually perhaps the automatic adjustment of the increase of population to the measure of the means of life available. As every civilised community of the world has to adapt itself to external conditions in this way, there is no injustice in asking native communities to do the same.

But, if native interests are to be adequately protected, the native must at least be given a fair opportunity to learn improved methods of agriculture before he is forced into what we have described as the second stage of evolution by the saturation of his lands with population.

The conclusion to be drawn from the preceding argument is, that so far as any general principle can be laid down for fixing the minimum area of land to be reserved for native use, it may be stated as follows :—that the area ought to be sufficient to enable the existing population to maintain a reasonable standard of life according to the methods of agriculture or stock-keeping at present practised, and to provide for such increase of population as may be expected before the natives have time to learn better or more intensive methods. It follows as a corollary that it is the duty of the Government to assist the native in learning improved methods.

We now come to the second of the two questions relating to a practical land policy, namely, that of the relative distribution of the areas reserved for natives and for settlers. The answer to this question must, of course, be largely governed by practical conditions. It so happens, for example, in Kenya that most of the land climatically suitable for European settlement forms one continuous block, whereas in Tanganyika there are several distinct highland areas. As a general principle, we recommend such a measure of territorial segregation as will facilitate the creation of homogeneous native and non-native areas of a sufficient size to become units of local self-government.

The arguments against the principle of territorial segregation are generally based on the idea that it will involve the division of

the territory into large distinct " white " and " black " areas, and that with these conditions a native who wishes to work on a settler's estate may have to travel far from his home, while the benefit of contact with the representatives of a more advanced civilization will be lost to the country at large. The advantages of contact with good settlers are undoubted, and it may in certain cases be desirable to introduce a special exception to the principle which we have formulated by establishing a few specially-selected men on farms scattered about among native areas, if this can be done without arousing native suspicions that the inviolability of their beneficial right to land reserved for their use is not threatened. This must be a matter for special consideration in each case, and our opinion on the general principle is that the political advantages of creating homogeneous settled and native areas outweigh any economic considerations.

It is an important feature in our recommendations for political development that the maximum use should be made of the opportunities provided by the institutions of local or municipal government, not only because they afford opportunities for political education and satisfaction for the natural desire of a community to manage its own affairs, but also on the ground that it will be possible in such institutions to preserve a homogeneity of racial interests, and thus to keep the field of public affairs which can be entrusted to them free from the difficulties which would be encountered if it were left under a central government responsible for a mixed community. The development of such institutions for local self-government appears to us to be of great importance on the non-native side no less than on the native side, and the opportunity will be lost unless the principle of territorial segregation is adopted and sufficiently large continuous areas are demarcated for settlement by non-natives.

We have dealt hitherto with the principles which ought to regulate the extent and distribution of the areas of land to be reserved for native occupation. It remains to consider the method by which the title of the native to his land is to be secured. This aspect of the matter was dealt with fully by the Parliamentary Commission from whose Report* the following passage may be quoted :—

> " There is probably no subject which agitates the native mind to-day more continuously than the question of their rights in land, both collectively as tribes and individually as owners or occupiers. In this disquiet they are actively supported in their claims by the missionary bodies of all denominations. Uncertainty in regard to future land policy is certainly the principal cause of disquiet among the natives, more particularly of Kenya and Nyasaland."

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* Cmd. 2387.

We agree with the Parliamentary Commission in this respect and in the preceding paragraphs have only endeavoured to carry their recommendations somewhat further by considering in greater detail the extent of the areas to which the native title is to be secured. But the question of title is in itself of dominating importance. When in any territory it becomes necessary to fix the boundaries of what are to be reserved as native areas, then it is absolutely essential that the title of the natives to their beneficial occupation should be indefeasibly secured. Native confidence in the justice of British rule is jeopardised by even a suspicion that the complete inviolability of their beneficial rights is in any circumstances whatever liable to infringement or modification.

This is a matter on which we feel it essential to avoid any shadow of ambiguity. It must be realised that, according to the line of argument which we have developed above, the fixing of boundaries of native reserves is rendered necessary as a preliminary to the release of other areas for alienation. A Government which proceeds to such a measure should recognise that it is to the areas outside the native boundaries that it must look for economic development by settlers and that within the native boundaries it must rely primarily on native activities. The decision to make a separation between the two must be regarded as an irrevocable step which has been taken once for all, for better or for worse.

This is not an easy doctrine to enforce and strong considerations can be ranged against it. If, for example, native reserves include areas of very good land which the natives, owing to incompetence or idleness, fail properly to cultivate, it may with great force be argued that the country cannot afford to have its natural resources neglected. Nor do such arguments necessarily imply any lack of sympathy with the natives. A power which is exercisable only for the purpose of ensuring a profitable use of the land might indeed be of direct advantage to the native community if they were to receive whatever rent or other consideration was payable for its use. Moreover, it may be said that effective safeguards against possible detriment to native interests can be created if it is provided that native land cannot be sold but only leased for a limited period during which the natives are not likely to require it, and that native representatives must be consulted before anything is done. Nevertheless, in spite of the economic advantage which might accrue to the country as a whole, and even to the natives themselves, we believe that once the boundaries of " native reserves " have been fixed, nothing which might be regarded as handing over to non-natives the beneficial use of any substantial areas* of land within these boundaries ought to be permitted, at least, until the natives themselves have attained such a standard of education and

* We refer to the alienation of large areas for agricultural purposes. It is of course clear that facilities need not be withheld for the leasing of small sites for shops, factories, etc., or for the expropriation of moderate areas for public purposes.

civilisation that they can be regarded as really competent to give a representative and responsible expression of public opinion.

The ground on which we base this belief is that no immediate economic advantage can possibly compensate for the destruction of confidence of the natives in British administration, and that at the present stage, whatever safeguards are adopted, the apparent alienation of land within the native reserves to non-natives would come to be regarded as a breach of faith which would in fact destroy native confidence. The safeguards afforded by provisions limiting the alienation to the granting of leases, or ensuring that the natives themselves are to be consulted before anything is done, cannot confidently be regarded as adequate. It may prove in practice very difficult to remove a leasehold tenant, while as regards consent by the natives themselves, it would be impossible at present to get a really representative or responsible expression of opinion. Moreover, native mentality is such that even if their recognised chiefs or representative councillors had expressed approval they would be likely to feel afterwards that they had not realised what was being done and that the Government was to blame for having encouraged them into such a course.

On the other hand it is to be expected that some elasticity will in the near future be required for the purpose of providing for development within a native community itself. For it is not to be supposed that the existing systems of communal or clan cultivating rights will be permanent. The advancement of civilisation, and the development of new uses for the land (such as the planting of coffee, etc., in the place of annual crops) and the construction of buildings and permanent improvements, will create a need and a demand for some secure form of individual native tenure. This is a subject which already requires careful study in the light of the combined experience of all three territories. In Uganda, for example, freehold titles of vast areas of land were, as a result of the original treaties, vested in the local chiefs. It is hardly within the scope of this Report to enter upon a detailed examination of the history and working of the system thus created. It can obviously lead to great injustice to the main body of natives if the native landlords abuse their position, and it is a system which could not be repeated in other territories. But the experience in Uganda must contain many useful lessons for the guidance of land policy in less advanced native societies.

While we were engaged in the preparation of this Report a Bill entitled "The Native Lands Trust Ordinance, 1928," was introduced in the Kenya Legislative Council. As the principles which we have been discussing have a close bearing on the provisions of this Bill we suggested to the Governor of Kenya, and later to you, that its consideration should be deferred until our report had been received and considered. In view of your acceptance of this suggestion and the interruption which has necessarily been caused

in the legislative programme of the Kenya Government, some of us have felt it to be incumbent upon us to indicate to you more precisely our view as to the relation between the principles which we have formulated and the particular provisions of this Ordinance.

### Alienation of Land to Immigrants.

The principles which should govern policy under this heading have already been considered as a necessary complement to those laid down for native land policy. But there are certain other considerations of which account must be taken. Thus, in the first place, a programme for the alienation of land to immigrants cannot properly be settled without regard to the demand for native labour which the cultivation of such land will create,* and should be so regulated as not to cause a serious and sudden dislocation in native life. This aspect of the matter will be more fully dealt with in a later paragraph. It would be imprudent to initiate the rapid and simultaneous undertaking of various projects for economic development, each of which might seriously interfere with the fulfilment of the other by means of the resultant competitive demands for labour. An example of conditions in which this result might occur may be found in Tanganyika in connection with the project for the construction of a railway to the south-western border. Such a line, if it achieves its object of encouraging the development of the south-western provinces of Tanganyika Territory, would greatly increase the opportunities of employment for the natives in an area which is now the main source of labour supply for the sisal plantations in the coastal belt in the neighbourhood of Tanga. We express no opinion adverse to the construction of the line, but we observe that the indirect effects need consideration as well as its direct effects, so that Government may be prepared to counteract them if they are harmful.

Secondly, Governments ought to take account of their responsibility for controlling the quality of settlers. It is of enormous importance in connection with the relation between the immigrants and the natives that the settlers—particularly in the early days—should be men who have not only the experience and material resources necessary for success, but also the qualities which will ensure that they will be just in their dealings with the natives, and so earn their confidence and respect. This is an essential condition also of the settlers' own prosperity. The quality of the early settlers in these territories is almost as important to the Government as the quality of its own officials, and, while we fully recognise the practical difficulties of applying an effective system of selection, we believe that more can be done

* A policy of alienating land to speculators who do not intend to cultivate it ought not, in any case, to be followed.

than has been done in this matter. Valuable lessons may, perhaps, be learned in this connection from the working of the "1820" Settlers scheme in South Africa, and from the practice of the Union Government.

We suggest that Governments should intervene more actively in the whole policy of settlement. They should select settlers carefully, and they might then be more explicit and generous in their policy of encouraging and helping settlers when they are selected.

It is impossible to give effect to the foregoing recommendations as to the policy of settlement by immigrants unless the Government is working according to a programme which has been well thought out in advance. This has not always been possible in the past. The demand for land has generally come before the Governments have had time even to organize an effective Lands Department to deal with it, much less to undertake such a comprehensive survey of the territory and its existing population as is needed to provide the foundation of any settlement policy. A careful review is needed of the whole situation both in the way of economic and agricultural surveys of the territories, and of the natives' requirements of land for their own use, and the numbers available for supplying the demand for hired labour by settlers.

It is pertinent at this point to mention that policy as regards railway development is intimately connected with policy as regards alienation of land to immigrants. The two should always be considered together, and the need for a comprehensive review of conditions as regards land and population and of the economic possibilities dependent upon these two factors is just as urgent for settling a railway policy as for settling a policy of land alienation. Moreover, in the public interests the Government ought to consider its railway policy in advance of its land policy, because of the enormous effect of the former on the value of land. In the past, private owners have been allowed to gain the whole profits from an appreciation of land values—due to railway construction—of which a share at least might have accrued to the benefit of the public if the Government had been working on a well thought out combined programme for railway development and land alienation.

The Government of Tanganyika is making an attempt to meet this particular point by reserving to itself in all the leases the right to revise the rental if a railway is brought within a certain distance of the land; but this is an unsatisfactory substitute for settling a fixed policy. The latter is, in our view, part of the proper responsibility of the Government, and it is an evasion of its responsibility to provide for the future by making the conditions on which land is alienated uncertain. Moreover, this uncertainty must operate as a deterrent to the most businesslike type

of settlers, for it is to be noted that the right to revise the rental is unlimited.

It may be argued that it is often impossible to know in advance whether a railway is, or is not, likely to be constructed—e.g., to the south-west areas of Tanganyika, but we feel that there is little to be gained by alienating large areas of land in remote and little-known portions of the territory, which can have practically no economic value until they are connected with a railway. A few pioneers may be of value in testing agricultural possibilities, but these should be treated as special cases and given special assistance by the Government.

SUMMARY.

The views expressed above can be summarised as follows :—

Adequate areas of land should be reserved in perpetuity for native use. Such areas must be clearly demarcated—at least before there is the slightest danger of demands by settlers encroaching on what ought to be reserved for natives. Once the areas have been demarcated no substantial alienation of land within them to non-natives must be permitted until the whole body of natives has so advanced in education as to be able to express a responsible corporate opinion. The only exceptions to this rule should be when the Secretary of State (or the Central Authority acting on his behalf), has after proper inquiry satisfied himself that the alienation of land is to the clear and undoubted advantage of the natives.

In addition to the area set aside for native needs the Government should reserve power to provide other areas of land in which natives who wish to settle outside native areas may acquire land by purchase.

Subject to the above, land should be definitely assigned for alienation to immigrants; but

(*a*) The rate at which " foreign " settlement is introduced should be carefully regulated, so as not to create undue disturbance in economic conditions.

(*b*) The quality of the settlers should be maintained at a high level.

Settlers once admitted should be given all the help which it is in the power of the Government to render to them.

So far as possible settled areas and native areas should be arranged in continuous blocks of a sufficient size to make it possible to build up homogeneous native and non-native units for local government.

In all the territories the Governments ought to work out in advance a programme for alienation of lands to immigrants, and in order to enable them to do so careful inquiries are necessary—

(*a*) into the amount of land which can be alienated without violating the principles of native policy;

(*b*) into the agricultural and other economic possibilities of such land;

(*c*) into all the conditions affecting the native labour supply, so that the rate at which the new settlers are introduced may be regulated accordingly.

The Government's programme for land alienation should be worked out in conjunction with its programme for railway construction, which should be elaborated in advance according to the knowledge of economic possibilities made available as a result of the inquiries referred to above, especially (*b*). In areas into which the railway programme provides for the early introduction of railway extensions, the land should be disposed of at prices which take into account this possibility. Some provision might possibly be made for deferring the payment of the full purchase price or rent until the railway is actually constructed; but the full final prices should, if possible, be fixed at the beginning, so that the intending settler may know the limit of his commitments.

**Taxation and Government Services.**

If the natives are to be fairly treated, provision must be made to ensure that they receive an adequate return in services for the taxes which they pay. Strictly interpreted this means that their total contribution to the taxes should be calculated, and that after allowing out of this sum an amount equivalent to what would be their proper contribution to the cost of general services, the balance should be devoted to services directly for the benefit of the natives. In cases where the native community is intimately mixed with the settler community in any one territory, it must be a matter of extreme practical difficulty to effect a separation both on the revenue and on the expenditure side. But in the Eastern and Central African territories the actual conditions as regards segregation are such that at least an approximate account could be made out of the amount contributed to public revenues by the native communities on one side and the immigrant communities on the other, and of the amount spent on each by the Government out of those revenues.

It must be recognised that to insist on a rigid and exact enforcement of the above principle in each year might prove hampering to the administration and not really in the best interests of the community as a whole. There must be a certain amount of elasticity and it is rather on the working of the results over a series of years that the test of the principle should be applied. Provided that an independent Central Authority is created to supervise the working of the principles, such authority might safely have a discretion to sanction variations from the principle in a particular year, on the understanding that it would be adjusted later.

Apart from the question of the application of taxation, methods of taxation require constant critical examination and review. These

ought to be studied for Eastern and Central Africa as a whole, taking advantage of the combined experience which is available. The present standard method of native taxation which takes the form of a poll or hut tax is obviously a primitive tax suitable only for communities in the early stages of civilisation.

We do not wish to go so far as to recommend any definite substitute, for the time for introducing a substitute has not arrived, but we do suggest that it is a matter to which study ought even now to be directed and that it might well be considered concurrently with the question of the gradual development of a system of individual land tenure among natives. There can be little doubt that in the course of time there will be an advance towards such a system and in that case taxation might very well be based on the value of the land occupied by each native. Such a form of taxation, with its natural adjustment according to capacity to pay, and with the incentive which it would give to maximum production, might well be suitable for African communities. We mention it in this connection as an instance of a subject for co-ordinated inquiry.

As regards the existing practice in this matter, there are wide variations in the rates of direct native taxation throughout the territories of Eastern and Central Africa, but on the whole the amounts paid appear to be roughly adjusted to capacity to pay. Perhaps the most noticeable features are the comparatively heavy combined burden of Central Government taxes, local government rates and dues to chiefs paid in Uganda, and the low rate of taxation in Nyasaland. An examination of conditions in these two countries in this aspect alone might not unreasonably lead to the conclusion that the higher rates in Uganda stimulate industry and that the natives of Uganda are, in the final result, much better off than the natives of Nyasaland.

The following table gives a rough idea of the normal burden per adult taxpayer for Government taxes and local rates and dues. The figures given represent as nearly as possible the normal rates, that is to say those prevailing in any except very backward districts. But it must be remembered that there are great variations between the different districts in each territory. For example, in the Karamoja district of the Eastern Province in Uganda the total tax burden is only 5s.

| | *Poll and Hut Tax.* | *Local Rates and dues to Chiefs, etc.** | *Total per adult male taxpayer.* |
|---|---|---|---|
| | *Normal rate.* | | |
| Uganda ... ... ... | 15*s.* | 17*s.* to 28*s.** | 32*s.* to 43*s.* |
| Kenya ... ... ... | 12*s.* (Masai 20*s.*) | 3*s.* max. | 12*s.* to 15*s.* (20*s.*) |
| Tanganyika ... ... | 12*s.* | — | 12*s.* |
| Nyasaland ... ... ... | 6*s.* | — | 6*s.* |
| Northern Rhodesia ... | 5*s.* to 10*s.* | — | 5*s.* to 10*s.* |

* The maximum figure in Uganda is in the Kingdom of Buganda where the levies include 10s. for rent to native landlords.

We have commented already on the importance of studying new methods of taxation, so as to prepare for a gradual evolution in this matter. For this purpose, and in order to check the adjustment of the existing burden, a careful comparative enquiry for the three territories into the effects of the existing system would be of value.

The preceding paragraphs refer only to direct taxation. Indirect taxation is almost entirely in the form of customs duties, and the level of these is for all practical purposes the same. There may be one or two details where a readjustment might fairly be made (e.g., the duty on fishing nets, etc., which is said to be burdensome on the native fishing industry on Lake Victoria). But generally speaking the rates are reasonable and do not put any undue burden on native life.

## Economic Development.

This is a matter of practice rather than of principle, of administration rather than of legislation. It follows from what has been said above that the native ought to be given every opportunity, within the measure of the Government's financial resources, to develop his own economic opportunities, which, in the territories under consideration, are confined practically to agricultural opportunities. The entire purpose for which, as we have explained, adequate areas of land are to be reserved for native use will be stultified if the natives are not taught to make the most of it and given the means for doing so. Nor will the areas themselves long suffice for an increasing population unless this is done. The economic development of native areas is moreover necessary not merely in the interests of the natives themselves. It may form a most important factor in the economic progress of the whole country. The West African* Colonies and Uganda have shown what a great export trade can be built up on native production alone. It is the duty of Government from every point of view to develop these possibilities to the full and every Government ought to have a native economic policy. Much will depend on the amount of money available for initiating such a policy and we have already formulated, under the heading of Taxation, the principle that the native ought to receive an equivalent return in Government services for his contributions to Government revenue. But the method of spending such money as is available is of equal importance, and there are many other ways in which the Government must preserve an even balance between native and non-native interests. It is important to remember that Government assistance to the natives must cover not only the production but also the marketing of his crops.

* The exports from the British West African Colonies for 1927 amounted to £33,294,006.

The Administration must guard against any tendency to prefer one community to another in the distribution of the best technical officers (e.g., medical, agricultural or veterinary), and care must be taken that there is an equitable distribution of the loan expenditure of each country, so that a fair amount is devoted to the development of native areas as well as of settled areas by the construction of roads, branch railways, etc. The policy of railway rates also needs careful scrutiny. Railway rates fundamentally affect economic possibilities, and they can be so adjusted as to benefit the industry of one community at the expense of another. We do not suggest that there would be any conscious desire on the part of a Government or of a settler community to treat native interests unfairly in these matters; but the immigrant communities represent the more advanced and vocal element in any mixed State, and if the constitutional organization is such as to give them free opportunity to express their views, these are likely to be more strongly pressed than those of the native community. When two communities at different stages of political capacity are partners in the life of one state, it needs a strong sense of equity and ceaseless vigilance to ensure that no advantage is taken of the weakness of the more backward. The practice in this matter of Government services requires careful watching, and full information should be collected so that the degree of efficiency in the application of the principle may be tested by results.

For this purpose it is important to be able to form as close an estimate as possible of the production of the native areas. Such an estimate is difficult to obtain; it would obviously be impossible with the existing machinery to compile a full and accurate census of production, while export figures considered alone do not present a complete picture, because a considerable amount of the exportable surplus of native products, such as maize for example, is likely to be absorbed in the home market. We suggest for consideration that typical areas should from time to time be selected for a test census of production, intensive attention being devoted to a particular district. It would be of great value to the Government for many purposes to have reliable figures for making a comparison between what a native can do by devoting his whole attention to his own plot of land as compared with his economic opportunity if he goes out to work for a white employer. Moreover the sort of information which could be obtained would be of great value in helping the Government to assess the proportion of adult males that might safely be allowed to go out to work for white employers without endangering the economic position of the reserves, a question to which we refer in greater detail in dealing with the matter of labour.

It would be useful if, in the annual report for each territory, a section could be included on native interests, giving in respect of that territory data similar to those required by the Mandates Commission of the League of Nations in the Annual Reports of

mandated territories. This will be of value in the formation of an enlightened public opinion; its preparation will serve a useful purpose in regulating the knowledge of the administrators; and its publication will serve to demonstrate that the native races of the British Empire are administered according to the principles of the League.

In dealing with this whole subject of economic development and with the closely allied subject of labour the consideration of abstract principles is not sufficient. The actual conditions of climate, soil, etc., affecting economic development in each territory must always be taken into account. Attention has already been called (Chapter II) to the effects of variations in such conditions, and it has been shown that in certain parts conditions are suitable for a system of agriculture based on a number of small native cultivators each working on his own account; that in others the best form of working will be in farms or plantations of a few hundred up to a few thousand acres worked by individual farmers with adequate capital; and that in other parts again it may be necessary to deal with much larger areas according to a concerted plan such as a large-scale irrigation project requiring financial provision beyond the resources of an individual, in which case development must be undertaken either by the Government or by a company, or perhaps by a combination of the two.

Taking into account these varying economic conditions, it is obviously impossible to lay down rigid rules for universal observation. If much more wealth for distribution can be created by a number of individuals working under the direction of a European employer than by the same number of individuals each working on his own account, there is at least a presumption in favour of the former method. But a Government, before taking any steps to encourage such a method of working, should make sure that the native employees have a free choice in the matter, that they will get a fair wage for their labour, and that the conditions of life offered to them will be consistent with a just and proper policy for their moral and political advancement. Great care must be exercised in securing these conditions and we do not wish to be understood as advocating a policy of pursuing the best economic results at all costs. On the other hand, economic results are of great importance, particularly as enabling a Government to raise a revenue with which to provide medical and educational services or to introduce other measures for the general benefit of the people. It is also important to recognise that there is nothing intrinsically bad for a native in wage-earning employment. Indeed if every native has a chance either of working on his own holding or of finding employment on fair terms with a European employer, his condition is perhaps as fortunate as is likely to be obtainable in any part of the world. This aspect of the matter is more fully discussed in the section on labour.

In dealing with development by European settlement we have called attention to the need for the Government to exercise some control over the quality of the settlers thus introduced, and to the importance of this matter in the interests both of the natives and non-natives and the relation between the two. It is necessary also to recognise the Government's obligations in other cases where non-natives are brought into contact with natives in connection with economic development. Even where the main system of production is one of small native agriculturists each working on his own account, as for example in Uganda, the machinery of trade has to be supplied from other than native sources. Some control ought to be exercised over the traders who establish themselves to purchase the natives' export crops. If such traders are without adequate financial resources, they may easily be put out of business in the case of a sudden drop in the price of the commodities which they are handling, and if this were to happen it would be so disastrous to the native producer that the Government itself might have to intervene. The organization of the cotton trade in Uganda has already shown signs of weakness of this kind, and it would be valuable if the Government could attract some powerful commercial groups to interest themselves in this business. There has during the last season been a move in the direction of an organised combination of the cotton buyers in Uganda, which may prove to be of great advantage in strengthening the position, and, if successful, may answer the necessary purpose. But the position will require careful watching. Anything in the nature of a monopoly must of course be subjected to strict control by the Government, so as to ensure that the native gets a fair price, but it is easier to control one or two powerful groups than a mass of small traders. Government intervention in trade is, of course, in some respects dangerous, but when a population of primitive natives is encouraged by the Government to grow crops for export an abnormal situation is created, and the Government cannot escape responsibility in the matter. It is to be noted that in connection with cotton in particular, the British Cotton Growing Association has on many occasions in the past given valuable help in this direction. In the case of other forms of industry which have been mentioned, viz., the development of new or increased production in an area by an undertaking requiring large capital expenditure and skilled management—such as an irrigation project, systematic well-boring, or the establishment of some central factory—a co-operative scheme of the kind which has been introduced in the Gezira area in the Sudan may prove the most effective method and the fairest to the natives. Opportunities for introducing such schemes should be carefully studied, for no sort of arrangement more truly embodies the spirit underlying the Dual Policy. Such an arrangement does not involve the permanent alienation of native land to non-natives, but provides for a true partnership between the skill and capital resources of

Western civilisation on the one side, and on the other the land and manual labour of the natives.

The chief point to be appreciated is that the Government of any of these African territories has a definite responsibility and ought to have a definite policy for dealing with all these matters. For this purpose it is important that provision should be made for the exchange of experience between the various adjoining territories in Eastern and Central Africa, and that those who are responsible for the central direction of policy should be in contact with the wider experience of the Empire.

As regards the existing practice in regard to the matters which have been discussed in this section, the Parliamentary Commission in its Report* commented on the poor standard of cultivation in the native reserves in Kenya (page 32) and stated their conclusion that the Department of Agriculture had " in the past devoted most of its attention to improved cultivation in European areas, and that until the last three years very little indeed was done to encourage native production " (page 155). In particular they compared the standard of cotton cultivation in the Kavirondo Reserve unfavourably with that of Uganda. We are glad to be able to testify that there has been a considerable increase in the work done in the native reserves since the visit of the Parliamentary Commission, and that the staff of agricultural inspectors for native areas has been substantially enlarged. The full benefit of this larger staff has not, however, yet been available, and though much has been done there is still room for improvement. We mention this in no spirit of criticism for we believe it is recognised by the Kenya Government itself; but this is a subject which wants constant watching and it is for this reason that we have recommended the furnishing of special annual reports on native production, and that we think that a Central Authority able to institute comparisons between the practices of the various territories will be of definite value. It is perhaps significant that it was represented to us in Tanganyika that the attention of the agricultural and veterinary officers was almost exclusively devoted to native areas, whereas in Kenya the tendency was stated to be in the opposite direction.

One small but typical illustration of differences in this field may be noted. In Kenya the cultivation of Arabica coffee by natives is not in practice allowed, whereas in Tanganyika the natives on the slopes of Kilimanjaro are growing it in quite substantial quantities with great profit to themselves. At the same time in Uganda the cultivation of Robusta coffee by natives is being actively encouraged. This raises a well-known controversial issue. There is much to be said on both sides, and we should hesitate to pronounce a final judgment without a thorough

* Cmd. 2387.

technical inquiry. It is desirable that such an inquiry should be carried out, for it is unfortunate that the natives should be able to draw comparisons, as they do, between one Government and another, and, as a result, to harbour suspicions of injustice.

Another illustration, again typical of the sort of differences in practice which are liable to occur, may be taken from the recent controversy between the Kenya-Uganda and Tanganyika railways on the question of railway rates on cotton from Mwanza. We refer elsewhere to the area for possible competition between the railways which has been created by the completion of a branch line from the Tanganyika railway to Mwanza on Lake Victoria. It so happens that it suits the Tanganyika railway rates policy to charge a rate on cotton from Mwanza to Dar-es-Salaam which is 20s. per ton cheaper than that charged on the Kenya-Uganda railway for transport from Uganda stations to Kilindini. The considerations affecting this policy are of a complex nature which need not be explained in detail here. It is sufficient to note the difference, and the fact that critics of the Nairobi management say that high rates have to be charged on native cotton from Uganda in order to enable the railways to carry maize produced by Kenya settlers at less than cost price.

## Labour.

The principal matter to be considered under this heading is the part that must be played by the Government in influencing or regulating the manner in which natives can be employed as hired labourers by immigrants. In its immediate practical importance in relation to the main objects of our enquiry, this question ranks almost equally with that of land.

Where non-native enterprise is introduced among primitive peoples the problems centering round the supply of labour dominate the whole situation, both economic and political. In the minds of the immigrant communities the supply of labour is the uppermost and ever-present consideration, since non-native enterprise is dependent on it for its existence. An acute labour crisis may have serious political repercussions, and make the task of government in relation to the immigrant communities much more difficult. On the other hand excessive demands on the native communities for labour must be most damaging to native society and to the proper development of native political institutions which, according to the principles that we have formulated, should be an important part of native policy. On no question is it more essential that the Government should have a considered and fully thought out policy than on the subject of labour.

It should be recognised at the outset that the development of the settled areas by the help of native labour may, if properly regulated, confer great benefit on the natives themselves as well as on the

immigrant communities. It is advantageous to the native to learn habits of regular work and to gain practical experience of what can be achieved by advanced methods of agriculture. In certain conditions also natives may be able to get a larger economic return from employment under Europeans than by working on their own account. Moreover, in the early days of British administration in such countries as the Eastern and Central African dependencies, an influx of European settlers with capital may be of great assistance to the Government in starting a process of economic development for the natives. Without some external impetus at the beginning, there may be no escape from a vicious circle. For while, on the one hand, measures necessary to improve the standard of native agriculture, such as the provision of agricultural inspectors, issues of seed, etc., cannot be undertaken by the Government without revenue, on the other hand, the necessary revenue may not be available until some improvement in agricultural production is brought about. The activities of settlers who have sufficient capital to carry them through the early unproductive years may provide the necessary impetus at the start.

The Labour Commissioner in Tanganyika has pointed out that "the introduction of non-native enterprise has conferred a real boon on the African, since it has tended to regulate and equalise the extreme fluctuations resulting from the success or failure of the harvest," and this opinion has been endorsed by the Governor.* Whereas in former years a bad season might entail literal starvation for great numbers, there is now the alternative of work on an estate which provides food as well as money.

It is practically impossible for the Government to refrain altogether from intervening in regard to the supply of labour for non-native enterprise. In the early days, at any rate, the native can hardly be regarded as having sufficient knowledge or judgment to protect his own interests, and whether he goes out to work or not must depend to a large extent on the advice and attitude of the Government. The new forms of economic life introduced by the advent of European civilisation are entirely strange and alien to the habits and traditions of the African peoples. The continuous and regular work without which non-native enterprise cannot be conducted is a new conception to the native mind. The idea of contract is equally foreign. In this new and strange world the native is dependent on the guidance of those set in authority over him. He needs to be encouraged to acquire habits which in the long run will contribute to his own advancement and progress. It is only natural that in these conditions the question of advice and encouragement by Government officials to natives to go out to labour should have become a subject of

* Report by Major G. St. J. Orde Browne, O.B.E., upon Labour in the Tanganyika Territory, 1926, (Colonial No. 19), pp. 13 and 72.

controversy. It is always possible that such advice and encouragement, especially as interpreted by native chiefs or headmen, may become an illegitimate form of pressure. It is equally possible that abstention from such advice and encouragement may be detrimental to native interests both by injuring non-native enterprise, and thereby retarding the general progress of the territory by which the natives themselves will benefit, and also by leaving the native without the stimulus and spur which would enable him to adapt himself to the new conditions and thereby make his position and welfare more secure.

In these circumstances the Government has a task of considerable difficulty to perform, for any indication of advice which it may give to primitive natives is apt to be construed as an order. It must be the duty of the Government to hold the scales even between the would-be employers and the natives. While protecting the latter against unfair exploitation, it must also recognise an obligation to the former to keep a fair field open for them. The possible benefits to the native have already been mentioned, and, provided that employment is voluntary, and that its conditions are fair, then it may quite justifiably be encouraged within the limits to be hereafter explained.

In dealing with native labour the Government has two main duties to perform, viz., to ensure

First, that the native sells his labour on fair terms, and

Secondly, that the labour demands of non-native enterprises do not operate in such a manner as to prevent the proper development of native society.

As regards the first, if the advancement of native interests is to be considered as an end in itself, then, in view of the primitive mind of the native labourer, it must be part of the duty of the Government to ensure that he sells his labour on terms advantageous to himself. This, of course, does not necessarily mean that the terms must be disadvantageous to the employer, for, if properly regulated, the contract of service ought to be one of mutual advantage to both parties.

We have already indicated in dealing with land policy the foundation on which the protection of native interests as regards labour must be based; that is to say, a policy which would make available for every native, for his own cultivation, sufficient land to maintain himself and his family and to provide him with the cash required for the taxes which he has to pay. If that condition is assured, then the native need only accept employment as a hired labourer of his own free choice and because it appears to him that such employment offers advantages as compared with remaining on his own land. Adequate native reserves indeed can take in Africa the place of trades unions, and help the native to maintain a proper standard of wages for his labour by providing

him with a protection against being forced to bargain at a disadvantage.

But while a satisfactory land position is an essential part of the foundation of a satisfactory labour policy, it does not alone cover all the needs, because, even with this protection, the native will not at first be able to look after his own interests. It is the duty of Government to exercise vigilant scrutiny of all the conditions affecting the treatment and general welfare of native labourers. It would be beyond the scope of this Report to deal with all those conditions, or to propose any detailed regulations. We suggest, however, that it would be useful to arrange for the interchange of experience between the territories with a view to working out the best practice in such matters as housing conditions, wages, length of employment, diet, medical attention, enforcement of contracts of service, registration of natives, conditions to be offered to "squatters" or to natives who come to work with their wives and families, etc. These questions are full of complexity and even if, as the Labour Commissioner in Tanganyika points out,* the danger must be avoided of over-regulation beyond the measure of what is practical, and of thus defeating the real purposes of Government, nevertheless such latitude as is allowed for individual arrangement should be the result of a carefully thought out policy and not of the lack of it.

The second duty of the Government to which we referred above is to ensure that the labour demands of non-natives do not operate in such a manner as to prevent the proper development of native society. This duty has a double aspect. On the one hand, it is necessary to regulate the numbers of natives who go out for temporary employment from the reserves so that the number of adult males absent at any time is not so great as to endanger the proper development of native social life and political institutions, and on the other hand to provide that those natives who leave the reserves and settle down to permanent employment in non-native undertakings are properly cared for in the sense of taking account of their future development and their place in the social and political organization outside the reserves. The whole structure of the native policy which we have recommended would be endangered if the absence of natives from the reserves were such as to interfere with the continuance of native family and tribal life, while the Government will be creating for itself a grave problem in the future if there is allowed to grow up outside the native reserves a large landless proletariat withdrawn from its own traditional discipline and restraint and finding no scope for advancement in the new society to which it has transferred.

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* Report by Major G. St. J. Orde Browne, O.B.E., upon Labour in the Tanganyika Territory, 1926, (Colonial No. 19), p. 65.

Dealing with the first point, there is a limit to the number of men who can leave their own homes without seriously affecting the well-being of the native communities, and it is the business of the Government so to regulate the influx of new settlers as to avoid creating demands for labour in excess of what can be supplied without undue disturbance of native conditions. This is a subject on which we have already touched in dealing with " Land Policy "; and, as we have pointed out, policy in this matter cannot be properly regulated unless the Government is working on a programme which has been well thought out in advance. The numbers of adult males who can safely be allowed to be away from their homes at any one time needs very careful consideration, and cannot be settled without a close knowledge of native conditions.

We gained the impression that the way in which native life is affected by labour requirements is a subject on which further careful study in all the Eastern and Central African territories is most desirable. This study is required as much in the interests of the settlers as of the natives, since injury to native life must lead to the drying up of the sources of labour and consequently to growing shortage in the future. From the standpoint of native welfare the study is of cardinal importance. Anthropological science has shown the close inter-connection of all aspects of native life. Religion, law, tribal authority, tribal customs, and the economic life of the tribe are all inseparably bound up together. Any serious dislocation of the economic life is bound to react on the whole tribal system and may hasten the dissolution of tribal authority which it is the main object of administrative policy to conserve until there has been time for the native people to assimilate the new ideas introduced by Western civilisation, and to adapt their institutions to the new conditions.

The gravity of this whole problem in another part of Africa has been recognised by the Belgian Government. A Commission presided over by a Minister of State and representative of all interests, including the leading commercial and industrial companies, was appointed in 1924 to go thoroughly into the labour question in the Congo, and reported in the following year. In the present year a similar representative Commission, presided over by the Prime Minister, has reviewed the conclusions of the earlier body in the light of the experience of the past three years. These reports are evidence of the seriousness with which the Belgian Government is taking in hand a problem which the Prime Minister described as " the most difficult and the most pressing of all those presented by our Colonial task," and which had claimed " the first place among his pre-occupations " since he took charge of the Colonial Office.*

The reason which led to the appointment of the Commissions was the recognition that " in the course of recent years the

* Le problème de la Main-d'Oeuvre au Congo Belge, p. 37.

economic development of the colony has undergone very rapid acceleration, so as to awaken legitimate apprehensions regarding the repercussions of this precipitate action on the social life of the natives."* The Commission were unanimously of opinion that " native societies brought into contact with civilisation exhibit an extreme fragility. Since the life of the society and the life of the family are not at the stage of mutual relative independence which exists in European countries, what affects the one reacts disastrously on the other. . . . In actual fact every excessive demand for labour made on a group must attack the sources of its life and affect adversely the birth-rate."† Having thus envisaged the gravity of the situation, the Commission set itself to enquire what proportion of adult males could be withdrawn at one time from tribal life without seriously disturbing the equilibrium of native society. They came to the conclusion that for labour at a distance from home it would not be safe to exceed the figure of 5 per cent. of the able-bodied adult males, which is the equivalent as a rule of 1¼ per cent. of the total population. It was considered that for work involving less prolonged separation at not more than two days' distance from home an additional 5 per cent. might be taken without harm, while a further 15 per cent. might without injury be regarded as available for employment in the immediate neighbourhood and for porterage for short distances, i.e., for tasks which did not involve any disturbance of tribal and family life. It was recognised both by the first Commission, and still more explicitly by the second, that these percentages were not to be interpreted or applied in any mechanical way.

As a result of these enquiries the Belgian Government has taken active steps to restrict the demand for labour even at the cost of retarding the rate of colonisation. Recruiting in certain tribes on which the demand is thought to be excessive has been prohibited. The Prime Minister of Belgium informed the second Labour Commission that until there was available a definite programme of economic development for each region in the Congo he was compelled to adopt an attitude of systematic reserve in the matter of granting concessions.‡ In 1926 the Belgian Cabinet decided to suspend the construction of public works not yet begun in order to relieve the pressure on the natives for labour. Professor Buell of Harvard, in his recently published comparative study of colonial administration in Africa, draws attention to the courage of the Belgian Government in its attempt to impose limits upon the rate of development, and asserts that it is the only Government in Africa which has not only realised the seriousness of the problem but has attempted to grapple with it.§

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* Le problème de la Maine-d'Oeuvre au Congo Belge, p. 7
† *Ibid.* pp. 16-17.
‡ *Ibid.* p. 40.
§ *The Native Problem in Africa* ; Vol. II. p. 550.

We do not suggest that the percentages proposed by the Belgian Commission need be applied exactly to Eastern Africa, but we are in entire accord with the principle on which the conclusions of that Commission were based, viz., that the starting point in dealing with the labour problem must be the effect of the demand for labour on native society.

The matter on which we desire especially to insist is the necessity that the Government should have a considered and far-sighted policy in regard to economic development, and that this policy should include the regulation of the rate of settlement so as to prevent an excessive demand for hired labour.

It is essential that such a policy should take full account not only of the needs of non-native enterprise, but also of the economic development of native areas. The available labour supply must not be estimated solely with a view to the requirements of non-native enterprise. If effect is to be given to the Dual Policy, the labour needs of the reserves must equally be taken into account. The recent Report of the Labour Commission in Kenya does not appear to us to pay sufficient regard to this aspect of the question.*

The duty of a Government which accepts the Dual Policy is, as we have already argued, to give the natives every opportunity of developing their own economic opportunities and to take active measures to improve agriculture in the reserves. Such a policy need not in the long run be injurious to non-native enterprise. It may diminish the number of those seeking employment outside the reserves; but it may well increase, more than proportionately, their quality and value as intelligent workers. Human nature has common elements all the world over, and in any community there will always be a large proportion of individuals whose economic efficiency is greatest when working as wage-earners under the direction of others. If the agricultural enterprise of the settlers is not capable of offering an economic return to such natives which will attract them to work for a wage in preference to cultivating their own land, then it can only be based on an insecure foundation, which, sooner or later, will give way, whatever artificial supports are introduced.

The improvement in the quality of native labour to which we have referred in the preceding paragraph is itself a very important matter. The Labour Reports of both Kenya and Tanganyika recognise that there is at present an immense wastage and deplorable inefficiency, though both record improvement. In the interests of the natives and of settlers alike it is desirable that there should be a reduction in the number and an improvement in the quality of the

* *e.g.*, it is stated that from certain areas (including those inhabited by the principal tribes in the country) "the percentage of natives who come out to work may be regarded as not unsatisfactory, varying as it does from 32 to 62 per cent. of the male native population." (p. 17.)

native labourers employed. The settlers, to place their enterprise on a sure economic foundation, should make it their aim to work with a smaller, more permanent, more highly skilled and better paid force of native labour than is customary at present. In the long run they will probably get better results in this way than from a large force of cheap but inefficient labour.

The second aspect of the Government's duty to consider the social effects of labour requirements, to which we called attention above, concerns the position of natives who permanently leave their own reserves to work for immigrant employers in the settled areas. Such natives will cease to belong to any tribal organization and a place must be found for them in a society which is new to them. The effect of labour requirements in this direction requires most careful watching.

The settlement of natives with their families on non-native estates is already taking place in Kenya. The process raises questions of great difficulty and importance. The Report of the recent Labour Commission in Kenya takes the view " that whole families should be encouraged to become permanently resident in the alienated areas, where satisfactory conditions of life, calculated to bring about contentment, should be provided for them." The Report goes on to state that " to some extent Africans are already becoming permanently detached from the reserves, and there is evidence to show, both here and elsewhere in Africa, that it is those Africans so detached who become the most civilised in their habits and reach a higher standard of life. . . . Through the establishment of an African population away from the reserves the children would be brought up in an atmosphere of contact with civilisation and civilising influences, also with industry, and could not fail to benefit and thereby become better citizens."* The view here expressed is in sharp contrast with that which is dominant in South Africa, where it is generally held that the two races can find their most happy development in separation, and that the presence within the areas of white civilisation of a large black population entirely cut off from tribal life is a menace to the standards of living and distinctive institutions of a white community. The Kenya Commission appears to have approached the question mainly from the point of view of the labour requirements of non-native enterprise, and it would be wise to study it in the light of the longer experience of South Africa. The development of the Dual Policy in the political sphere will be much less fraught with difficulties and danger if the native retains as long as possible his connection with his own tribal organization, and for this reason we would deprecate any active steps on the part of Government to encourage the severance of that connection. At least no such steps should be taken until the whole of their

* Report of the Labour Commission, p. 33.

implications has been thought out and provided for. There will always be a certain number of more advanced and ambitious natives who will not find sufficient scope for their abilities in tribal life in the native areas, and we have suggested one method of providing for these in the section dealing with land, viz., the reservation of certain areas in which such men may be allowed to acquire land by purchase. As men of this class become more highly civilised a place can probably be found for them in the political system of the settled areas. But the presence in these areas of a large class of landless, detribalised natives, who have cast off the restraints of their own social life, and not yet submitted to those of white civilisation, would inevitably become a serious social and political danger. We received evidence in Tanganyika of the demoralising effect which town life is apt to have on the casual native labourer who drifts into it. The social side of the problem requires careful and continuous study, and it is of great importance that arrangements should be made for the collation and comparison of experience in the different territories. We shall revert to the political side later.

We have drawn attention in this section to the enormous importance of the labour question for all the communities in Eastern and Central Africa and have pointed out that failure to handle it rightly must make the political problem far more difficult of solution. We have shown that it is engaging the serious attention of other Governments concerned in tropical Africa. It is rapidly becoming a question that is attracting world attention. The International Labour Organisation at Geneva has set up a special section to prepare conventions for backward areas. The subject will be given a place at the International Labour Conference to be held next year, and the first steps will be taken towards arriving at an international convention on the subject. The Permanent Mandates Commission has included the following question among those addressed to Mandatory Powers :—

> " Does the local supply of labour, in quantity, physical powers of resistance and aptitude for industrial and agricultural work conducted on modern lines, appear to indicate that it is adequate, as far as can be foreseen, for the economic development of the territory?
>
> Or does the Government consider it possible that sooner or later a proper care for the preservation and development of the native races may make it necessary to restrict for a time the establishment of new enterprises or the extension of existing enterprises and to spread over a longer term of years the execution of such large public works as are not of immediate and urgent necessity?"

All these considerations point to the desirability of a thorough review in the near future of the problems connected with labour

in Eastern and Central Africa. One of the first things to be undertaken by the High Commissioner, whose appointment we recommend, must be the study of this question of labour in the light of the combined experience of all the territories.

In making comparisons between the practice followed by the various territories in the treatment of native labour, it is, of course, obvious that the conditions are largely dependent on individual employers. This section, however, would be incomplete without a reference to one well-known difference between Kenya and Tanganyika, in that the system of registration of hired labour is adopted only in the former territory. This policy has not always been fairly represented by outside critics and we do not wish to pronounce judgment upon it; but it may lead to undesirable results if adjoining territories adopt such different practices. The difference was commented upon to us by native witnesses, and it is not unnatural that natives should draw the conclusion that it implies a difference in the regard which is paid to their rights and privileges.

## Education.

### Native Education.

For any government which accepts the advancement of the natives as a direct responsibility, native education must be a matter of primary concern. The underlying assumptions of this Report are that the advancement of the natives is an end in itself and that the progress and prosperity of the Eastern and Central African territories must depend on the growth in capacity and intelligence of the whole population, of whom the natives constitute 99 per cent. From both points of view educational policy is of cardinal importance. In referring to education we have in view not merely formal or scholastic education, but also the teaching of habits of industry, of better agricultural methods, and of ways of improving hygienic conditions and the standard of living.

So much has already been written on the subject of native education in Africa that we shall make no attempt to deal with the subject in detail. We are in general agreement with the principles of educational policy set forth in the memorandum* issued by the Advisory Committee on Native Education in Tropical Africa. We shall content ourselves with drawing attention to one or two matters that are of special significance in connection with our Report.

The importance of pursuing a consistent policy in all matters affecting the natives, on which we have already dwelt in several

* Cmd. 2374.

passages, is as great in education as in any other matter. The aim and scope of education should be settled for all these territories on a uniform basis. The constitution of the Advisory Committee at the Colonial Office has already achieved valuable results, but the existence of a Central Authority for Eastern Africa might help to make the co-ordinating influence of this Committee more effective. In the meanwhile, as a sign of the appreciation of the need for a common policy, we welcome the decision to hold a conference of the Directors of Education of the Eastern and Central African territories early in 1929.

It is essential that educational policy and practice should be carefully considered in its relation to the general policy of government for the advancement of the native peoples. Influences introduced by subordinate officials in an education department may have a far-reaching effect on native life, and government ought to regard even the details of educational curricula as matters of importance. It is the business of government to see that educational policy is related to the other influences by which the experience and outlook of the people are being transformed. The formal education of the school is only part of the education which the native is receiving. He is being educated by his responsibilities as a participant in native administration, or by his contact with non-native traders and settlers. Modern medicine and sanitation are introducing fresh ideas. Improved agriculture is changing his economic outlook and introducing new habits of thought and action. At present the different influences which are promoting the education of the native are canalised in separate channels. It is important that the problem of education should, from time to time, receive consideration from this wider point of view. It is desirable that the Central Authority, if created, should give attention to this subject with a view to deciding what measures are required to enable education to make its largest contribution to the welfare and progress of the native peoples.

The general object of education should be to raise the average standard of intelligence of the whole community. The nature of the intellectual advance to be aimed at should be one of which advantage can be taken in the ordinary daily lives of the people, and should be a step forward in a field already familiar to them, rather than a violent translation into fields which belong to a different type of civilisation. As the life of African peoples is to a preponderating extent agricultural, education should aim at making them better agriculturists and better able to appreciate all the natural processes with which agriculture is connected.

Since one of the main objects of general policy is that the natives should learn increasingly to manage their own affairs, education should also aim at fitting them for such responsibility. The school at Tabora for the sons of chiefs seems to us a highly important undertaking.

The education of the masses and the general advancement of the people are tasks that can be carried out only with the help of the natives themselves. Hence the training of native leaders, such as teachers, medical assistants and agricultural instructors and demonstrators must have a central place in the educational programme.

The policy of making the advancement of Africans an end in itself implies that they should be able to advance as far as they can, and that those who can assimilate the higher branches of Western knowledge should have the chance of doing so. There is bound to arise a demand among the native peoples for more advanced education and it is best that provision should be made for meeting this in Africa itself rather than that those who are determined to have higher education should be left to seek it abroad. We are glad to find provision for it already made at Makerere College in Uganda. But while higher education must have its place in the total programme, the resources of government should, for the present, be devoted in the main to the foundations of the educational structure, which must be securely laid in the general progress of the whole community. A warning must be uttered against any attempt to go too fast. One of the great dangers arising out of the contact between modern European civilisation and the natives of Africa is lest the latter may, with their natural imitative faculties, acquire superficial intellectual attainments, without having had time to build up, by a long process of training, the habits of mind and character without which intellectual ingenuity is a dangerous possession.

The progress of African communities will be seriously retarded if education is not extended to women as well as men. It was asserted in the famous educational despatch of 1854 which laid the foundation of modern education in India that by the education of women "a far greater proportional impulse is imparted to the educational and moral tone of the people than by the education of men." The principle has the support of the best educational opinion and it may be hoped that greater success will be achieved in giving effect to it in Africa, where there is no purdah system, than has so far been obtained in India. Christian missions deserve the highest commendation for what they are doing for the women of Africa and their work in this field deserves every encouragement from Government.

## Non-Native Education.

The education of the children of the immigrant communities and, in view of its position of leadership, of the European community in particular, is a matter of the greatest possible importance to the

future of these countries. It is essential for the future of the white race that a satisfactory educational standard should be maintained. It must also be realised that the contact with primitive black peoples as domestic servants and agricultural labourers to which the children of European settlers are exposed, creates tendencies which must be carefully counteracted by a well thought out system of education. The supply of adequate educational facilities for European children, and the adaptation of educational methods to their special needs, should be regarded as one of the most serious responsibilities of governments. A pooling of resources between the adjoining territories may increase the effective power of what can be done, and this is a matter for consideration by a Central Authority.

**Native Administration and Political Institutions.**

A clear indication of the policy envisaged by His Majesty's Government for native political development is given in the following passage from the White Paper* containing our terms of reference :—

> " The Dual Policy in regard to economic development should have its counterpart in the political evolution of the territories. Every year we are providing more educational facilities for the natives, and although in some places it may be many years before the native can take a direct part in the Central Legislatures, his place in the body politic must be provided for, and steps taken to create the machinery whereby native self-government, at first purely local, and later over larger areas, can be developed."

We agree most emphatically with the implication contained in this passage, that the process of political development should be gradual.

Whatever the line of political advancement is to be it should be a continuous process starting from conditions as they exist and carried out step by step, each new step being based on experience gained from the last. Sudden transitions are always dangerous.

The right line therefore for native political development appears to be to give the natives a share in the management of their own tribal affairs, starting with the natural village or tribal units and gradually building up larger associations by a process of unforced coalescence. There are in all the territories with which we are concerned, marked ethnological and traditional divisions between tribes and it would not be advisable to attempt a premature unification in advance of the natural development in inter-tribal relations. On the other hand experience in Tanganyika Territory shows that the natives themselves are quick to recognise

* Cmd. 2904.

the advantages of coalescence of small chiefships into larger groups which give the native administrations command of greater resources and make the undertaking of larger enterprises possible.

A policy of this nature satisfies the requirements both of justice and expediency. In the first place it is adapted to native conditions and needs, for it builds on native foundations. Secondly, it will provide a valuable form of education, for it is only by management of their own local affairs that the meaning of responsibility can be learnt by the natives. Thirdly, the adoption of such a policy is a practical necessity for the good administration of the country. It is impossible to provide a sufficient number of British administrative officials to conduct the business of the whole country. Any attempt to administer without a delegation of powers to native authorities tends to produce bad administration. Fourthly the policy gives to the natives an opportunity for political self-expression. The demand for such self-expression must inevitably arise as a result of that advance in their education and material conditions which it is the declared object of the British Government to promote. Without a suitable outlet for the natural desire to participate in the management of their own affairs, the more active-minded among the natives might be driven to opposing the existing authority. There can never be a complete absence of political agitators, but if a practical outlet is provided for the natives in the management of their own affairs, and if the Central Government is efficiently conducted, agitators against British rule are likely to receive little general support.

It is important that the objects of the encouragement of native administration should be clearly grasped. The essential purpose must be regarded as being the fostering of native institutions so as to give them their own place in the scheme of government, rather than the mere utilization of the chiefs as the mouthpieces of an alien bureaucracy.

An examination of the extent to which native administrations have in practice been developed in the territories of Eastern and Central Africa reveals striking differences between them. Whereas in Uganda and Tanganyika native administrations with judicial as well as executive powers have been set up, the native authorities in Kenya, Nyasaland, and Northern Rhodesia (except in Barotseland) have no judicial functions. This is a most significant difference, for experience seems to indicate that if the traditional power of a chief to control and punish his people is retained it is more likely that the native administration will be made effective. It appears to be important, therefore, that these administrations should have their own native courts.

Another substantial difference in the degree of responsibility which is delegated to native authorities is to be found in the matter

of the funds which are at their disposal. The following table, extracted from Appendix VII, where fuller details are set out, gives a summary of the present position :—

REVENUES AT THE DISPOSAL OF NATIVE ADMINISTRATIONS (1927).

| — | *Transferred from Government Revenue.* | | *Revenue collected direct by Native Administrations.* | *Total Revenue of Native Administrations.* |
|---|---|---|---|---|
| | *From Hut and Poll Tax.* | *From other Sources.* | | |
| | £ | £ | £ | £ |
| Uganda ... ... | 152,366 | 650 | 129,618 | 282,634 |
| Kenya ... ... | * | 16,586 | 19,434 | 36,020 |
| Tanganyika ... | 126,207 | — | 18,707 | 144,914 |
| Nyasaland ... | * | — | — | Nil |
| Northern Rhodesia | 6,300 (to Barotse Trust Fund). * | — | 750 | 7,050 (Barotse Trust Fund). |

* Government pays Chiefs and Headmen.

It is hardly possible to develop a real sense of responsibility for administration without some share of financial responsibility; so that education in the handling of public funds is of primary importance in any policy for the political advancement of the natives. Experience seems to indicate that the natives do not naturally possess a high moral standard in the handling of public funds, and, while this makes close supervision by British officials necessary in the early stages, it also serves to emphasise the need that they should be given an opportunity to learn the meaning of this kind of responsibility.

The differences in the systems of native administration to which attention has been called above are no doubt to be accounted for historically to a large extent by the absence, at the time when Kenya, Nyasaland, and Northern Rhodesia came under British control, of any developed tribal organizations on which native administrations could be founded, and in the case of Nyasaland by the destruction of the power and influence of the chiefs as a result of military measures to suppress the slave trade.

It may also be argued that the natives of Uganda and Tanganyika are more advanced than, for example, those of Kenya. This is undoubtedly true of the Baganda in Uganda, but it is a matter suitable for careful enquiry by an impartial authority whether the difference in the practical results is entirely accounted for by such differences in conditions, and whether a greater advance in building up responsible native administrations could not now safely be made in Kenya.

It is at least apparent that if native administrations are really to be given an important place in the whole scheme of government as part of the policy which we have advocated above, a great deal remains to be done in Kenya, as also in Nyasaland and Northern Rhodesia. We do not advocate undue haste or any attempt to give natives tasks far beyond their capacities; but responsibility itself is the most valuable educator, and if there is to be any advance at all the measure of responsibility which is allowed must always be somewhat in advance of the proved capacity of those to whom it is entrusted.

In the preceding paragraphs we have considered native participation in the local government of native areas. It cannot be too strongly emphasised that the political education of the natives ought to start in this way, and that, whatever form their participation in the government of each territory may ultimately take, it should be built up step by step from below, starting on a sound foundation of education and experience gained in the responsibilities of local government.

It would however be unwise to rest content with the assumption that the management of local or tribal affairs will for all time satisfy the aspirations of the natives. Moreover, the questions put to us* make it one of the most significant parts of our task to consider what share the natives are ultimately to have in the whole business of government. If, as indicated in our terms of reference, the " Dual Policy, i.e., the complementary development of native and non-native communities " is to be " progressively applied in the political as well as the economic sphere," it must necessarily follow that it is only a question of time before the natives will have to be admitted to a share in the whole government which fairly balances that accorded to the immigrant communities. Once this is realised—and it is difficult to see how an honest interpretation of the Dual Policy can possibly lead to any other conclusion—it will be appreciated how important it is to direct the political advance of the immigrant communities in such a way as will not commit the Government to native advancement either prematurely or in the wrong direction.

The special political problems created by the presence of an advanced immigrant community side by side with a primitive native population can best be considered in detail in our later chapter dealing with the Kenya constitution, and certain practical proposals for the immediate representation of the natives in those conditions are included in that chapter.

But the general principles affecting the representation of natives and their political advancement are fundamentally the same in all the territories with which we are concerned. Even if the presence of an immigrant community demanding political representation creates a special problem or brings it to a head at an earlier date

* *C.f.* Terms of Reference 3 and 4.

in countries such as Kenya, policy in the adjoining territories as regards native political advancement must, as has already been pointed out, ultimately be guided by the same principles. Apart from this, the process of education of the natives and economic development which is being followed in all territories must eventually lead to political demands for a voice in the general business of Government. Some consideration of the general principles is therefore appropriate in the present chapter.

In considering the general course to be followed it appears to us that there are two dominant considerations. First, it is possible that African native society may never become adapted to representative institutions in the form in which they have developed in the British constitution, nor may it be possible to apply representative parliamentary institutions, which are founded on the basis of a single homogeneous community, to States containing European and native communities side by side. Secondly, it is certain that, even if such institutions may ultimately be adapted to African conditions, the natives require a long period of preparation and experience before they can be qualified to take their place in them. British representative institutions have been built up after centuries of evolution on a foundation of experience slowly gained in local government. So far as possible African society should be taken through a similar course of development so as to avoid the dangers of attempting a sudden transition from a primitive state to twentieth century conditions.

If the Government were free to choose its course and there were no danger of outside influences forcing the pace,* the ideal line of conduct would seem to be to maintain the Government in the form of a benevolent autocracy for as long as possible, encouraging the natives meanwhile to develop a sense of responsibility, public morality, and political experience, in institutions of local or tribal government. This side of the matter has already been dealt with in the earlier sections, and the essential purpose, both in countries where there is no permanent settlement by immigrants and in countries where there are settled areas and native reserves, is to keep the natives as far as possible living in conditions which are natural to them, and gaining experience in a continuous process of evolution from such conditions, until they are so far educated that they are fitted to be launched on the stream of the main political life of the country side by side

* There is comparative freedom to choose the pace of development in countries where there is no active immigrant community claiming political representation. Even in these countries outside influences are at work; but our own observations, necessarily limited by the short period of our visit, left on our minds a vivid impression of the effect upon the native mind of close contact with the daily lives of a settler community and with the political controversies which their presence creates. Some of the natives in Kenya appeared to us far more sophisticated and far readier to become detached from their traditional tribal discipline, or to listen to ill-educated political agitators, than is the case in the adjoining territories. These conditions must be taken into account.

with the immigrant communities. During the period when they are thus kept isolated from the main political business of the Government, their interests must, of course, be specially represented in its Councils. These must either be watched by the Government itself or by special representatives chosen for that purpose. In either case the protection of native interests remains the ultimate responsibility of the Imperial Government by virtue of its trusteeship.

But even during what we have described as the period of isolation, if the ultimate ideal is that the natives should themselves have a voice in the Central Government, they must be gradually receiving a preparatory training. For this purpose, experience gained in the affairs of local government would not alone be sufficient. Moreover, the practical conditions also create a need for something more. The natives themselves are already taking an interest in wider issues than their own local affairs, and it is important that the Government should be informed of their opinions. It must not be inferred indeed from the fact that they are not as yet sufficiently advanced to grasp the general principles which have to determine policy on such matters as harbours, railways, tariffs or currency, that there are not many points connected with these and other subjects in regard to which, when properly explained to them, natives may form views which are of real importance to the administration. The new forces which are invading the country are bringing about far-reaching changes in native life, and in regard to these changes native opinion is valuable, and it is desirable that some means should be found for its expression. If a natural outlet cannot be provided, it is probable that their growing political consciousness will find less desirable means of expression. The need for some channel of expression is of course greatest in " mixed states," but the influences of the new forces are being felt in the whole of Africa, and it is well that steps should be taken before it is too late to provide the means by which, under wise guidance, natives can make their ideas and outlook known and come to understand the policy on which the Central Government is acting.

It is necessary, therefore, to consider what practical steps can be taken for this purpose.

A very constructive study of this whole question has been carried out by Lord Lugard, who suggests* that the natural line of political evolution for native societies brought into relations with western Governments is through the establishment of a Native Advisory Council in each territory (the membership of which would not necessarily be limited to natives), as a parallel institution to the Legislative Council.†

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* *Representative forms of government and indirect rule in British Africa*, being chapters of a new edition of *The Dual Mandate*.

† A somewhat similar suggestion was made by Sir Herbert Stanley when he was Governor of Northern Rhodesia.

As far as concerns any of the territories with which we are dealing, the day is still far distant when representatives of all the various tribes could meet in a common council, so that such a plan lies beyond the region of any practical proposals which we can now make. But it is necessary even during the first steps to consider the general direction of advance, and for this purpose to devote some thought to more distant possibilities. It appears to us that there would be certain dangers in a native advisory council for a whole territory. In a country like Kenya, where there is a strong immigrant community, such a body might emphasise and exaggerate the divergence between native and non-native interests, and create an impression in the minds of the natives that their views did not find adequate expression in the Legislative Council. In the end it might tend to unite native opinion in opposition to the Government, while the existence of so important and formal a council might lead to difficulties if the Government had to decide contrary to its advice. Much will depend on future developments, and particularly how, in a country like Kenya, the interests of the settled and native areas sort themselves out in practice. Political segregation, at least up to a certain point, appears to us, as we later emphasise, to be desirable within any period which can be foreseen, but for dealing with the field of what are essentially common interests it may well be asked whether, by the time that native delegates are fit to meet and discuss matters of general policy for the whole territory, they would not be equally fit to take the place of European representatives of native interests in the Legislative Councils.

On the other hand there are certain ideas of great value inherent in Lord Lugard's proposal which should be preserved whatever plan is adopted. The most important of these ideas is that in a native advisory council the traditional native leaders will be able to carry due weight and maintain their position, whereas if the native share in government is provided for by the inclusion of natives in the Legislative Council, it is almost inevitable that the professional politician—that is to say, the type of native who is ready with his tongue and quick to pick up a smattering of European civilisation—will come to the front. In fact, until present conditions are completely changed, a native advisory council could be much more truly representative of the essentially native element in a Colony than any small number of natives, sufficiently educated to take part in the debates of the legislative assembly, could be.

In connection with the development of native advisory councils, the experience and practice in the Union of South Africa is of interest. The Bunga or Native Council in the Transkei is not only responsible, like the native administrations in Eastern Africa, for what may be described as matters of local government and for the expenditure of a poll tax of 10s., bringing in a total revenue

of £140,000, but it is also consulted about all legislation applicable to the Transkei. It is the almost invariable practice of the Administration, when it wishes to enact a proclamation, to submit it in draft to the Bunga. The resolutions of that body on the proposed legislation are forwarded to the Native Affairs Department and the replies of the Department are communicated to the Bunga and published in its proceedings. As a result largely of the success of the Transkeian system the Native Affairs Act of 1920 empowered the Governor-General on the recommendation of the Native Affairs Commission to establish local councils in native areas throughout the Union, one of their duties being to advise the Native Affairs Commission on matters affecting native interests, and also general councils, embracing a number of local councils. The Act further provided for the convening of conferences of chiefs, members of native councils or local councils, and prominent natives, and of native delegates purporting to represent any native political or economic interest, with a view to the ascertainment of the sentiments of the native population of the Union, or of any part thereof, in regard to any measure in so far as it might affect such population. Under these provisions conferences have been held of representatives from all areas in the Union, and have proved a valuable means of eliciting native opinion.

The experience of South Africa is illuminating as showing the extent to which native political capacity is capable of development and the demands which will sooner or later have to be met. Nevertheless we do not recommend in Eastern and Central Africa the early institution of any similar conference of natives for a whole territory, both because the natives as a whole are still in a very primitive state with wide differences in tradition, outlook, and development between various tribes, and also because they are not yet subject to the same pressure of established western institutions, and can thus be allowed to develop along more distinctively native lines.

What we do recommend is that a beginning should be made in the consultation of native opinion by experiments of a more simple kind.

The first step would be that it should become the settled policy of Government to consult native opinion regarding legislation affecting their interests through the existing native administrations or district native councils. Experience would show to what extent it was desirable for the purposes of such consultation to convene a more widely representative body. In that case the gathering might to begin with be somewhat in the nature of a durbar, leaving any more formal constitution or definition of functions to be decided later in the light of experience. The representative of Government on such occasions would naturally be the senior officer of the area, who, when technical matters were under consideration, might have the assistance of the head of the department concerned or of an

officer representing him. As we suggest in a later chapter, if there are any non-natives nominated to represent native interests in the Legislative Council, these should participate in the consultation of native opinion. The informal consultation of native opinion through existing organizations may be expected in time to lead to the creation of new machinery adapted in each case to local conditions, and it is better that Advisory Councils should come into existence in this way to meet practical needs as they arise than that they should be called into being as formal and artificial creations. The object which has to be kept in view is to provide opportunities, which the natives will feel to be adequate, for the expression of their growing political consciousness, and it will be the part of wise statesmanship rather to anticipate the demand than to be forced to yield later to pressure.

We recognise of course that action on these lines is already being taken in certain places, and also that an advanced organization such as the Lukiko in the Kingdom of Buganda requires special consideration. It appears to us important that a general review of the situation should now be carried out, so that after consultation with the experienced officers, a general plan taking into account local variations in conditions, but properly co-ordinated for all the territories, may be introduced.

Our proposals up to this point therefore amount to this; that the maximum use should be made of the opportunities for self-government in local or tribal institutions and of associating the natives with the wider affairs of government through what may be described as informal district advisory councils, leading perhaps later to local councils of a more formal nature, and that in the meanwhile the direct representation of the natives in the Legislative Council of each territory and in any Central Council, if formed, should be provided for either by the official members, or by non-natives nominated by the Government.

But advance along these lines, however far it may be carried, still involves treating the natives in a special manner and keeping them out of any position which exactly balances that of the other communities. This therefore leaves us short of the goal to which, as stated at the beginning of this section, the Dual Policy seems necessarily to lead. It might well be said that this goal lies beyond our present horizon; nevertheless, it is necessary to give it some consideration in order to test the direction of the first steps which we are recommending.

In a later chapter we find ourselves brought to the conclusion that there can be no question of responsible government in these territories until the natives themselves can share in the responsibility, because, until that stage is reached, the Imperial Government will be under obligations of trusteeship which cannot be

discharged without reserving a right to intervene in all the business of government.

This negative conclusion, however, is not the final answer to the problem and one must ask whether the possibility of responsible government, once the natives are able to share in it, is to be for ever excluded.

To such an inquiry our reply must be that responsible government, as understood in the light of British experience, depends, as already stated, on representative institutions which are founded on the basis of a single homogeneous community. It is not inconceivable that in the distant future the black races may rise to such a high level of civilisation that their interests will be fused with those of the immigrant communities. If white and black can some day meet on equal terms, intellectually, socially, and economically, the racial and economic antagonisms may be merged in a community of interests which will admit of some form of free representative government. That is an ideal to which, though many would consider it visionary, we would not close the door. Nevertheless, while we most certainly would not accept any assumption that the white races must remain permanently superior to the black, it appears to us safer to contemplate that to whatever stage of civilisation and development the African native can advance there may remain fundamental differences of outlook which will express themselves in a division according to racial lines on certain political issues. If this is so, then in the conditions which are likely to prevail in Eastern and Central Africa it appears that it would never be satisfactory that one racial community should be empowered by the constitution to impose its will on another, merely by virtue of the possession of a majority of votes in an elected assembly.

These considerations suggest two ideas which may afford guidance in choosing an immediate course: first, the idea of parallel, rather than fused, or identical, political development for natives and non-natives; secondly, the idea of preserving for the Imperial Government the function of impartial arbiter in case of any conflict of interests which cannot be settled by mutual agreement between the two.

If the idea of parallel development is accepted, then it follows that it is desirable to keep the way open as long as possible for the maximum measure of political segregation. This suggests that political development for the native and settled areas should be carried forward on separate lines—native and British respectively—as far as possible. This separate treatment will not, of course, create complete segregation between native and non-native, because a large number of natives must inevitably become domiciled in the settled areas, and, sooner or later, a place for such detribalized natives must be found in the political system of those areas. But this will be a separate and minor problem.

The possibility of realising this idea must always be dependent on land policy, for any form of political segregation will be impossible unless the distribution of land creates on broad lines sufficiently large blocks of native and settled areas to afford a foundation for homogeneous institutions of local government. It will be noted that this idea has governed our recommendations as regards land policy.

At the same time, however far territorial and political segregation can be carried there will remain many important common interests for which constitutional means of joint consideration must be provided. The way in which this will finally come about cannot exactly be foreseen. Many variations are possible, but to all the idea of the Imperial Government filling the rôle of impartial arbiter in case of any difference of racial interests is equally applicable. The most obvious form of development would be joint representation in a Central Legislative Council with the Imperial Government holding the balance between the two sides. For such a Council the representatives of native areas might be selected in a manner quite different from those for the settled areas. Our proposals for the Kenya constitution represent a start on these lines. It is conceivable as another alternative following more closely the idea suggested by Lord Lugard, that there might eventually be developed separate native and non-native councils with provision for joint sessions on certain matters, or for a periodical meeting and review—possibly on the lines of the quinquennial " ausgleich " as between Austria and Hungary in the old Dual Monarchy, with the addition of a new feature in the introduction of an independent arbitral authority. These are speculations for the future. What we have said is sufficient to afford a guide for the next steps and for a choice of the general line of advance which is to be followed.

## CHAPTER IV.

## THE POLITICAL PROBLEM.

In the preceding chapter we have attempted to define the guiding principles of native policy from the standpoint of the Imperial Government as trustee for the welfare of the natives, who constitute the overwhelming majority of the inhabitants of the territories with which this Report is concerned. We have now to consider the practical question of how to design political institutions to carry out these principles in a " mixed state," that is to say, a state where permanently settled communities of British and other nationalities have been established, having due regard to the political aspirations and demands of the immigrant communities, who bring with them the ideas, the energies, and the resources of more advanced civilisations.

It is in Kenya that the problems to which these aspirations and demands give rise present themselves in a pressing and acute form, and consequently our discussions in this chapter will be concerned primarily with the political institutions of Kenya. But, apart from the fact that when we come to consider the institution of a central authority in Eastern Africa its relations with the other territories must be kept in view, political developments in Kenya cannot be dissociated from the wider question of the lines of political evolution to be followed by Eastern and Central Africa as a whole. Consideration of the closer union of the Eastern and Central African territories compels us to face at the outset the question on what political principle such closer union, if it takes place, is to be based. Although it is impossible to foresee what may take place in the distant future, it is necessary, before any forward step can be taken, to have some idea of the goal which we can reasonably hope to reach in such time as lies within our present horizon. Uncertainty and disagreement about the goal of political evolution have had a confusing and hampering effect on the political development of Kenya. The essence of the difficulty is the existence side by side in a single territory of two communities, one of which represents European civilisation in the twentieth century while the other consists of backward native tribes. The former has reached an advanced stage of political education and development and is accustomed to representative institutions. The latter is quite unfitted at present to take any part in the government of a modern state, nor is it certain that its natural line of political evolution will be in the direction of representative institutions in the form in which these have been developed in European countries.

There are two widely held and sharply contrasted views regarding the political future of the Eastern and Central African territories, each deriving its strength from concentrating attention on one of the two main factors in the problem, while the significance of the other is unconsciously minimised and allowed to recede into the background. The one view is that, until such time as the native inhabitants who form the great majority of the population are able to take an effective share in government, the territories must continue to be administered under the Crown Colony system of government by Governors under the control of the Secretary of State and his advisers in Downing Street. The other is that their destiny is to become a self-governing dominion under the predominant control of the resident European community, who, it is held, alone possess the political experience and capacity for the successful conduct of government. Neither of these views, as it seems to us, offers a real solution for the complex political problem which is presented by the Eastern and Central African territories.

### Crown Colony Government.

In the light of what has taken place in other parts of the Empire it would be idle to expect that the present Crown Colony

system of government, under which a close and detailed control over the Government is exercised by the Secretary of State, can be maintained indefinitely in such conditions as prevail in Kenya.

That system has almost invariably broken down when a local community, or an important section of it, has become politically self-conscious and capable of managing its own affairs. British colonial history is a continuous record of the progressive relaxation of Imperial control and the transfer of authority to communities overseas. It is true that in most instances the abandonment or relaxation of control has meant the transfer to a community of the right to manage its own affairs, whereas the demand in Kenya is entirely different in character, inasmuch as it is a claim to control in addition the affairs of a vastly preponderant native population. We recognise the importance of this distinction and full weight will be given to it later. Our present object is simply to draw attention to the immense difficulties which have in the past attended the exercise of control by a distant authority.

The remoteness of the controlling authority from the scene of action is in itself a great source of weakness. Local opinion when it comes into conflict with a distant authority has always the advantage of more direct and immediate contact with reality. When it comes to a real struggle, opinions derived from the reading of books and despatches have little power to withstand those formed by contact with life, and the Imperial Government tends in consequence to surrender in the end to the more full-blooded convictions of those on the spot. Public opinion at home suffers from the same disability. Confronted with the emphatic assertions of those who have first-hand acquaintance with the facts it easily becomes uncertain of itself, vacillating and divided, and consequently ineffective as a controlling force.

The remoteness of the controlling authority has also the effect of making colonial opinion more suspicious and distrustful. Mention has already been made of the fear which is always present in communities settled overseas lest unknown and incalculable influences at home should deflect the course of Imperial policy in a direction adverse to their interests. The danger that " some hidden spring may be put in motion in the Colonial Office in England " is one to which, as Lord Durham recognized,* communities settled overseas are peculiarly sensitive. We were told by the European elected members in Kenya that they felt that under the present system " we run great danger of having the continuity of our policy completely broken by changes of circumstances in another country, in which the people live in complete ignorance of our conditions."

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* *Lord Durham's Report.* Edited by Sir C. P. Lucas. Vol. II., pp. 192–3.

These factors have always led eventually to more or less complete relaxation of Imperial control. The process has been repeated so often in British colonial history that the steps by which the course of political development proceeds to its apparently predestined goal are generally familiar. Where there is an articulate local public opinion the government finds it an advantage to obtain its advice in regard to legislation. This is secured by the nomination of unofficial members to the Legislative Council. The next step, in order to ensure that the expression of public opinion is really representative, is to introduce the principle of election. What is thereby conceded to the unofficial community, however, is merely an opportunity of criticism. Whereas under responsible government the criticism of an opposition is tempered by the knowledge that, if it is successful in bringing about the defeat of the government, the critics will be called upon to accept the responsibility of translating their opinions into practical measures and submitting them to the test of action, in the case we are considering this salutary check is lacking, and criticism may without penalty be pushed to violent extremes. The electorate having no opportunity of seeing the views of its representatives brought to the touchstone of practice tends to become more and more convinced of the incompetence of the government. Like every electorate it is inclined to demand the impossible—services without expenditure, increased facilities of all kinds without increased taxation, ample provision of these in its own neighbourhood and rigid economy elsewhere, and is indignant with the government for failing to meet its demands. The system does little to train the unofficial members for the work and responsibility of government; it is rather an education in the art of embarrassing those who are responsible. At the same time, the fact that the official party is always in a position, if it so desires, to give effect to its decisions tends to develop in the unofficial members an attitude of permanent opposition.

When the criticism of the unofficial representatives supported by public opinion reaches a point which makes the carrying on of government too difficult, the next step is to concede to the unofficial members a majority in the legislature. Experience shows that this has little effect in removing the difficulties. The attitude of opposition is not changed, while the power to embarrass and paralyse the government is increased. The government is forced more and more into an untenable position from which it cannot extricate itself by resignation. It is compelled, in the words of an experienced administrator, " to carry on the administration of the country as best it may in spite of frequent defeats and by means of a series of one-sided compromises, each one of which helps to discredit it, to expose its impotence, and to undermine its authority." It was the great achievement of Lord Durham's Report to convince public opinion that in the Colonies with which he was dealing the only escape from such an intolerable situation lay in responsible government.

Colonial history thus compels us to face the question whether, when a community has become politically self-conscious, and public opinion has been granted the opportunity of expression in the legislature, there is any permanent halting place short of responsible government.

In Kenya unofficial opinion has in practice obtained a much larger influence in the counsels of government than accords with the strictly constitutional position. The Government still retains an official majority in the Legislative Council. But there have been instances in recent history in which local opinion has successfully resisted measures which the Secretary of State would have liked to enforce. In the ordinary conduct of government as well as in important crises, the influence of the elected unofficial members is much greater than is generally realised. Two of the European elected members of the Legislative Council have been nominated as members of the Executive Council, and have thus been admitted to the inner counsels of the Government; but they are under no obligation to support the Government, and have in fact frequently opposed it in the Legislative Council. A practice has also grown up in the Legislative Council of referring all questions of importance to select committees in which the official majority is seldom retained. These committees consist for the most part of a large proportion of unofficial members with only such official members as are directly concerned with the subject in hand. This method of reference to select committees is now established by custom over the whole of the business of the Legislative Council, and results in the exercise of considerable influence by the Legislature in the executive sphere. The control of the Secretary of State is thus in practice subject to limitations which make its exercise difficult. While the elected members have acquired a large share of power in the government of the country, there has been no corresponding advance in real responsibility. The present system of government has thus already been undermined, and in order to restore stability some change is inevitable. The question is what shall be the nature of that change.

## Dominion Government.*

Are we then justified in looking to the establishment of responsible government as a means of escape from the difficulties which have been described? By responsible government is meant government by an executive of ministers responsible to an elected legislature.

In attempting to reply to this question we must limit ourselves, as we have said above, to a period of time within our present horizon. Within that period there will always be such wide differences in the stages of civilisation of the different races that

* The Chairman dissents from the section "Dominion Government" to the extent stated in his Additional Recommendations (page 244).

any system of responsible government based on the democratic principle of equality will be obviously impossible. During the period to which our vision is limited, responsible government can only mean that the predominant control over the whole territory would be vested in the local white community. It is in this sense that we proceed to discuss the possibility of Dominion Government.

No serious body of opinion in Kenya, so far as we are aware, has expressed the view that the time is now ripe for the grant of responsible government. But that this is the goal of political evolution is implied in the memorandum submitted to us by the European elected members and the Convention of Associations in Kenya. It was urged on us that " federation should be no bar to the natural political progress of Kenya towards self-government, and that the time has come for the grant to the Colony of a new constitution providing for a European unofficial majority of members," and it was definitely stated that " Kenya is not prepared to enter into any federation scheme unless she is granted a step towards self-government."

It is agreed on all hands that for a long time to come the natives will not be fitted in any considerable numbers to exercise the franchise. Hence the electorate to which ultimate authority would be transferred would be predominantly, if not exclusively, European. This complicating factor in a " mixed state " like Kenya makes the situation entirely different from that for which Lord Durham found the remedy in responsible government. A solution on these lines in Kenya would not mean, as in homogeneous communities, simply the management by a community of its own affairs, but would also mean the political control by a small white community of the lives and interests of two and a-half million natives. It is necessary therefore to ask whether such a form of government is well-adapted for the realisation of the primary purpose of political institutions, namely, the achievement of social justice.

There are few matters about which European opinion in Africa is more sensitive, and rightly so, than any suggestion that British residents on the spot are less fitted than their countrymen at home to be trusted in their dealings with the natives. But the fitness of individuals is not in question. As individuals the British settlers in Kenya are in no way inferior in integrity or in their sense of justice to the officials, and indeed would compare favourably with any body of men in the Empire. The difficulty lies in the fact that they constitute only one class in the community, and the question which we have to consider is whether it is a good form of government that political power should be concentrated in the hands of a single class, whose interests may at times be in conflict with the interests of other classes.

One of the commonest objections made by settlers to government by officials is that the official has no permanent stake in the country,

and that his attitude is always coloured by the fact that he is a temporary sojourner. But this lack of material ties binding him to the country is precisely his advantage and strength as an administrator. It makes it possible for him to take a detached view. The remarkable position held by Indian civil servants in the administration of India has rested on the fact that they have stood outside all local controversies and feuds and on the confidence which this fact has inspired in the minds of the people.

The settlers on the other hand, like the other inhabitants of the territory, have a stake in the country. They are involved in its affairs. Their interests may come into conflict with those of the natives in regard to land. They are, as a class, employers dependent on the natives as a class for labour. They may have different interests in the incidence of taxation. They are not in a position to take the same detached view of questions in which their personal interests are involved.

This distinction between the qualities of individuals and the capacity in which they are called upon to act is of great importance. There are many individual settlers who, if chosen to represent native interests in the Legislative Council, or to take part in commissions of enquiry, would sink their personal interests and take a judicial and impartial view of the questions they had to consider. It will be clear from our later recommendations that we have full confidence in their ability to discharge this difficult and honourable task. But when the same persons take part in the Legislative Council as the representatives of a European constituency they are there for a different purpose. They have to consider the constituencies which they represent. It is not merely that they have to look to their votes at the next election; it is their business as representatives to express the point of view of their constituents and to defend and advocate their interests. The interests and opinions of the constituencies which return them must inevitably be of greater concern to them than the interests and opinions of communities with which they have no direct political relations. Men naturally see most vividly and feel most intensely what lies closest to their own experience. In representative bodies the interests of the unrepresented are apt to receive scant attention. As the Natal Native Affairs Commission (1906-7) remarked, a white parliament, by its origin and composition "stands virtually in the relationship of an oligarchy to the natives, and naturally studies more the interest of the constituencies to which its members owe their position than the interests of those who had no voice in their election, more particularly when the interests of the represented conflict with those of the unrepresented."

Experience has taught mankind that a man, however just and honourable, ought not to be made judge in his own cause. An unconscious bias tends to deflect his judgment. The objection to a form of government which concentrates political power in the hands

of less than one per cent. of the population while the great mass of the inhabitants are unrepresented or inadequately represented, is that it puts one small class in the position of being judge in its own cause. That one part of the community should govern the whole, or that one class should make laws for another, was declared by Pericles more than two thousand years ago to be a form of tyranny. The foundation and only sure defence of freedom, a principle for which more than any other the British Empire stands, lie in a proper balance of interests and powers in the State. The aim in every constitution that seeks to preserve liberty must be that power should be so equitably diffused as to afford equal security to all.

A second objection to any early grant of responsible government to a small white community is that it must inevitably stimulate a demand on the part of the native peoples to secure admission to the electorate; it would consequently turn their political aspirations into channels that with our present knowledge cannot be surely regarded as those best suited to African conditions, and would force on the establishment throughout the territory of democratic institutions familiar to Western ideas before the people as a whole are fitted for them.

The present backwardness of the tribes in Kenya makes it easy to think of them as politically negligible. But it is contrary to all experience and reason to suppose that the native peoples will always be satisfied to remain unrepresented in the government of the country. We have already described the rapid development of the natives of Africa in political consciousness in other parts of the continent. In the course of time they will demand a share in the government of their own country. Responsible government cannot fail to stimulate the political aspirations of the natives. They may remain content that their political evolution should proceed along the lines natural to them, so long as the course of that evolution is guided by the Imperial Government. But if political power were vested in a local electorate, it is inevitable that sooner or later they would begin to ask why they should be excluded from a share in that power. The claim to be allowed in some form to share in the government of the country is not one that could be permanently resisted. It would have in it too large an element of justice, and has gained too wide an acceptance elsewhere to make its refusal in Kenya possible.

Once political rights were conceded to the natives, numbers would come into play. The demand would be made that the representation of the natives should bear some relation to their numbers and their part in the economic life of the country. Political power might thus in the course of time on account of their numerical preponderance pass to the native population before that population is capable of discharging the responsibility. There is as yet no evidence which would warrant a judgment regarding the ultimate

political capacity of the African races, or at any rate of their capacity to control the administration of a complex modern state. Within the range of our present vision we must assume that European rule is indispensable to the welfare and progress of the Eastern and Central African territories. Once the seat of ultimate authority is transferred from the Imperial Government to a local electorate, forces making for the widening of the franchise would come into play and might prove irresistible, as they have done elsewhere. The grant of responsible government is often advocated on the ground that the only means of making white civilisation secure and permanent is to entrust its interests to those who being on the spot are best qualified to know what the interests of white civilisation in Eastern and Central Africa really are. There is a real danger, however, that the course proposed might in the end lead to the opposite result and undermine the basis of European rule before there is any safe substitute available to take its place.

In considering the political future of Kenya, conditions in Tanganyika cannot be left out of account. It is hardly possible to give political rights to non-natives in Kenya and, as non-native enterprise develops, to refuse these same rights in Tanganyika. And conversely the course of political development in Tanganyika cannot be without its influence on Kenya. There can certainly be no " white dominion " in Eastern and Central Africa unless in the long run Europeans throughout the territory have the same political rights. But apart from questions relating to the terms of the Mandate, which are considered elsewhere, account must be taken of the fact that the European population in Tanganyika is different in its composition from that of Kenya. It is not, as in Kenya, predominantly British. Less than half the European population in Tanganyika is of British nationality. If officials and their families are left out of account, the proportion of non-British to British is considerably more than two to one. In the Northern Province, which contains at present the largest European population in the Territory, the British element, including officials and their families, is less than a fourth of the whole. Whatever steps may be taken to encourage British immigration, equal rights of entry and residence are secured under the Mandate to citizens of all States which are members of the League of Nations. If and when the representative principle is introduced in the government of the Territory, difficult questions will arise in regard to the political rights of non-British residents. We express no judgment on the subject of the grant of political rights to persons of non-British nationality, which is a question for the future. Our object is only to call attention to the further complications which would arise in Tanganyika if the question should ever arise of the grant of responsible government to that Territory. If political rights were denied to Europeans who are not of British nationality, there would

be an added difficulty in justifying the concentration of political power in the hands of a class which was not only a small minority of the total inhabitants of the Territory but a minority also of the European population. If, on the other hand, equal political rights were granted to the many different European nationalities in the Territory, and, as an inevitable consequence to Asiatic nations which are also members of the League of Nations, it would not for long be possible to exclude from the franchise the natives of the Territory, on whose behalf the Territory is administered under Mandate. Since it is generally agreed that the time is far distant when modern democratic institutions can be safely introduced into Africa, consideration of conditions in Tanganyika confirm and deepen the objections which have been advanced against the introduction of responsible government in Kenya.

A third difficulty in accepting responsible government as the goal of political evolution arises from the necessity of ensuring that the main lines of policy, particularly on all matters affecting native advancement, immigration, and the relation between the native and immigrant communities should be consistent with the policy carried out in other African territories under British administration. It is obviously undesirable that the natives, whose knowledge of each other's conditions will increase with the expansion of education and the improvement of communications, should find British governments speaking with different voices in neighbouring territories. This danger can be prevented only by the formulation and enforcement of an Imperial policy applicable to all territories, and the Imperial Government must consequently be secured in a position which will enable it to ensure the carrying out of such a policy. The geographical position of Kenya surrounded by territories in which the preponderance of the native population is greater even than in Kenya itself is a fact which cannot be left out of account in the consideration of its political problems.

It may be urged in reply to the preceding arguments that what we are deprecating in Kenya has already come about in Southern Rhodesia. It may be contended with some force that conditions in the two countries are not wholly dissimilar; that Southern Rhodesia has obtained responsible government; and that this government has been able to establish and carry on an efficient administration without injustice to native interests. It implies no disparagement of that government, however, and no belittling of the success with which it has dealt with its problems, to say that the constitution of Southern Rhodesia is still in an experimental stage, and that the problem of finding a place for the natives in such a constitution based on the principle of democratic representation still remains to be solved, as the present Government fully recognises. Moreover, the differences in the conditions of the two

countries are substantial. In Southern Rhodesia the proportion of natives to Europeans is about 20 to one, whereas in Kenya it is ten times as great. A still more fundamental difference is that Southern Rhodesia is far from the Equator, with a general climate fairly suitable for permanent white settlement, and that it adjoins the Union of South Africa, which has a similar form of government. Kenya on the other hand lies right across the Equator; white settlement is only possible on limited highland areas; while the country is surrounded by territories under British administration, which must always be to a greater extent even than Kenya itself predominantly " native " territories.

For all these reasons we find ourselves in complete agreement with the declaration of His Majesty's Government, made in 1923, that responsible government in Kenya is " out of the question within any period of time which need now be taken into consideration," and with your own statement in the House of Commons* that equally in the White Paper† issued in connection with the appointment of our Commission "responsible government is not in question." As will be clear from the proposals which we make later, the conclusion at which we have arrived is not intended to block the way to the grant of increasing responsibility and power to the local communities. What our analysis of the problem shows to be unsuited to any conditions which lie within our present horizon in Eastern Africa is that the executive should be chosen and dismissible by a popularly elected assembly. The grounds on which we regard this as impracticable are, first, that it would place the control of the government in the hands of a single small community among the inhabitants of the territory, while leaving the other communities (until the character of the electorate was changed) permanently excluded from power: secondly, that these conditions might lead to a change in the composition of the electorate which would place the control of the government in the hands of the native peoples before they were fitted for the responsibility; and, thirdly, that for such time as can be foreseen the Imperial Government must be in a position to discharge its responsibilities and to ensure the carrying out of a consistent native policy throughout the Eastern and Central African territories.

We have dealt with the question at length because the assumption that responsible government in the sense here given to it is a goal that may be reached in the not distant future tends to confuse the whole discussion of political development in Kenya. If it is clearly recognised that the making of the executive responsible to a local electorate lies beyond our present horizon, thought and attention can be concentrated on the search for some other solution of the political problem. The possibility of its solution along other lines must now be explored.

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* Hansard, Vol. 209, No. 103 Col. 292.

† Cmd. 2904.

## An Elected European Majority.*

If the transference of political control to a local electorate cannot be expected to take place within any foreseeable future, it is essential that the form of government adopted should not be one the inevitable tendency of which is to evolve in that direction. The most foolish of all courses would be to set out to achieve one object and to create institutions which through their automatic working lead directly to another and different end. If responsible government were the acknowledged goal of political development in Kenya, a case might be made for an elected European majority in the Legislative Council as a transitional stage. But if responsible government is not the goal in view, it is necessary to make sure that the constitution will not provide occasion for those difficulties which arise when an unofficial majority in the Legislative Assembly is able to pass or reject legislation and to refuse supplies but not to control or dismiss the executive. The weakness of such a system was exposed once for all in Lord Durham's Report.

It was put to us in Kenya that if an elected majority in the Legislative Council were in a position to withhold supplies and the Secretary of State had a veto over legislation, each party would possess an effective bludgeon which would prevent it from being coerced by the other, and that, if an occasion ever arose when the bludgeons were brought into action, the British spirit of compromise could be depended upon to come to the rescue and bring about an adjustment of differences. But the clear teaching of colonial history is that such an arrangement as has been described leads inevitably in the end to responsible government. If, therefore, it is a definite conviction that the transfer of political control to a local electorate is neither right nor wise nor conducive to the welfare of Eastern Africa, it is necessary to avoid creating a state of things in which such a transfer might become unavoidable. Hence the rejection of responsible government as the goal of political evolution has as its consequence the rejection also of a form of government in which an elected majority in the legislature and an irremovable executive are able each to paralyse the action of the other, while both lack the freedom and power to carry out a far-sighted, positive, and constructive policy. Since all experience condemns such a form of government, it must not be allowed to come into existence through a policy of drift. If this is to be avoided there must be a definite and constructive alternative policy.

## The Separation of White and Black Areas.

In view of the immense difficulties which beset any attempt to combine in a single political system communities so diverse as those

* The Chairman dissents from the Section "An Elected European Majority" to the extent stated in his Additional Recommendations (page 244).

which exist side by side in Kenya, suggestions have been made for the simplification of the problem by effecting in some way a separation of native interests from those of the immigrant communities. This might be done either by giving the settled areas a different government from the rest of the country and so creating two separate states, or by giving the Governor of Kenya independent legislative authority over the territory outside the settled areas. He would hold a separate commission as High Commissioner for this part of the country, and to assist him in the administration he might have an Advisory Council of Native Chiefs.

The plan is in many respects attractive. It would remove from the area of conflict many matters which have been the subject of acute controversy in the past. It would enable the political evolution of each community to proceed more rapidly on its own lines. The white areas could be granted from the outset a more complete and familiar form of self-government than is feasible otherwise.

On the other hand, there are serious difficulties in giving effect to such a proposal. In the first place, the segregation could never be complete; there must always be a certain number of whites in the black areas and a considerable number of blacks in the white areas, and the problem of adjusting the relations between the races in each administrative area would not be removed, though its dimensions might be reduced. In the second place, the geographical distribution of white settlement makes it difficult to devise any satisfactory boundaries, and even if this difficulty could be overcome the different areas would be so intermingled as to preclude the idea of constituting them each into entirely separate organizations. Neither the black nor the white state would be strong enough to stand alone, and their common economic interests would necessitate some form of co-ordination. A customs union would probably be imperative and also some central control over communications, such as railways, main roads, posts and telegraphs, as well as over external defence. Thirdly, there would be great difficulty in splitting up the various services, such as medical, agricultural, and veterinary, which have been recruited to serve the whole territory, and if small separate services were constituted for each of the white and black areas there must be loss of efficiency. If joint services were retained, they would need a common head, and here again there would have to be some central control. The functions of Government which would have to be retained in the hands of a central government in Kenya would be so numerous and important that the degree of self-government which could at once be given to the white areas would fall considerably short of what is desired.

In view of these difficulties, we do not regard the separation of any of the territories into self-contained black and white states.

as the right line of advance under present conditions. It is not impossible that future development may tend in this direction, but we consider that, if this is to be the ultimate solution, it would best be brought about not by dissection of the present state (a dangerous operation for which no sufficiently skilled political surgeon could be found) but by gradual devolution of power to institutions of local government, which would themselves be concurrently growing stronger by a steady process of training and evolution.

**Reservation of Subjects.**

The difficulty to which reference was made in the discussion of the subject of responsible government, that it would place in the hands of a single community control of the lives and interests of the remaining inhabitants of the territory, is recognised by unofficial opinion in Kenya. It was put to us by the elected European members that they were not asking for the complete control of the natives, and it was suggested that in any form of government that did not imply full dominion status the main control of the natives could be kept in the hands of an impartial government. There are, however, two great difficulties in regard to any arrangement of this kind.

The first is that native policy is so intimately bound up with every department of government, that any clear-cut separation of subjects is impossible. There is hardly a measure which comes before the Legislative Council which could not be represented to affect either directly or indirectly native interests.

The division of subjects between two separate organs of government is always beset with difficulty, and this difficulty is met with in every federal constitution. As was pointed out in a survey undertaken in preparation for union in South Africa, " the danger of such hard and fast provisions lies in the fact that the distinctions between the various functions of government are really more subtle than those which we in our classifications are always endeavouring to draw between them. Apart from this, their nature is continually changing, so that divisions and classifications which were accurate enough to be useful one year are obsolete the next. It would be difficult, for instance, to point to two functions of government which appear to be more clearly separate from one another than those of defence and public education. It would have needed a more than human sagacity on the part of the statesmen who framed the Canadian Constitution to have foreseen that within a few years the question of military training might have become involved with primary education. The restriction which prevents a national government from including military training in the curriculum of the schools might insensibly lead a nation to found its defence on a standing army instead of on a national militia."* These difficulties which beset every attempt to dissect the functions of

* *The Government of South Africa*, Vol. I, pages 261–2.

government become insuperable where the relations between natives and non-natives are involved. While the withdrawal of native affairs as a whole would leave little business of importance for the Legislative Council in Kenya to transact, no dissection of the subject could be made which would not give rise to continual controversy regarding the interpretation of the arrangement.

A second difficulty in establishing responsible government with a reservation of certain subjects in the hands of the Imperial Government is that experience has shown that once the control of the executive has been transferred to a popularly elected assembly, powers of intervention reserved to an outside authority are difficult to exercise and are apt to prove ineffective in practice. The reason is plain. The primary responsibility of a government holding office by the will of a popular electorate is to the electorate from which it derives its authority. It is consequently very difficult for any body of ministers to face the political consequences of submitting to an unpopular decision of an outside authority. Whatever the merits of the question, they would be exposed to the charge of yielding to dictation from outside. They would probably prefer to resign. If public opinion were on their side, no one else would be found willing to take office and government would be paralysed. Confronted with this situation the outside authority, unless it were prepared to have recourse to force, would have no alternative but to give way.

## Federation.

We have been concerned thus far with the political problems of Kenya. But these, as was stated at the beginning of the chapter, are closely connected with the political future of Eastern Africa as a whole. The question naturally suggests itself whether the problems of Kenya would become more tractable if Kenya were a member of a federation of East African states, in which certain powers were reserved to the federal government and a larger measure of freedom accorded to the individual states in matters not so reserved. Federation, moreover, is one of the possible forms of closer union on which we have been expressly asked to report, and the subject can most conveniently be considered at this point.

A good deal of confusion is apt to lurk in the term " federation " and it is necessary, therefore, to examine its meaning with some care. It may be used loosely to describe almost any form of closer union which includes a central authority of some kind and a number of separate territorial governments. But the term has also a stricter meaning as applied to constitutions of which those of the United States, Canada, and the Commonwealth of Australia are outstanding examples.

The relations between a larger political community and smaller communities within it may take one of three forms.*

* *Cf.* Bryce, *The American Commonwealth*, Vol. I, pages 15–17.

The first is that of a League, which is an aggregate of communities and has no existence apart from these communities. It vanishes when they separate from one another. Its relations are with the communities as such and not with the individuals belonging to them. It has no power to pass legislation affecting individuals belonging to the component states.

Secondly, the smaller communities may be mere sub-divisions of the larger, created for administrative purposes. The powers which they possess are powers delegated by the supreme government and can be withdrawn or modified when it so desires.

Thirdly, in a federal constitution such as that of the United States we have something quite different from either of these two forms. The functions and powers of government are divided between two separate and independent authorities. Each is equally supreme in its own field. There are thus two distinct Governments operating in the same territorial area. There are two sets of laws, each possessing supreme authority, which citizens have to obey. The Federal Government has no power to control the Governments of the States within the field assigned to them. The pact which defines the relations between the States and the Federal Government cannot be altered at the will of the latter, but only by some special process—in the case of the United States by an amendment to the constitution proposed by two-thirds of both Houses of Congress and ratified by the legislatures of three-fourths of the several States; in Canada, by the amendment of the British North American Act, which it would be difficult to alter without the practically unanimous consent of the Provinces; in the Commonwealth of Australia by laws passed by the Commonwealth Parliament and approved at a referendum by a majority of voters and a majority of States, while certain interests of the States cannot be touched without the approval of a majority of the electors in the State affected. Both the national government and the State governments in a federal system are alike subject to the constitution.

The question which concerns us here is whether it is possible to devise an arrangement in which Kenya might become a State possessing responsible government in a defined field, while at the same time forming part of a federation in which the other component states and the central government were subject to Imperial control. Would it be possible through an arrangement of this kind to retain in the hands of the central government those matters which are of Imperial importance, including the ultimate decision of racial issues, and to leave open a field in which Kenya might enjoy responsible government? To effect a federation on these lines it would be necessary, as in all federal constitutions, to make a division of subjects between the two authorities, and a clear-cut demarcation of spheres would be all the more essential, since the two governments would be based on opposite principles, the one being responsible to a popular electorate and the other to the

Imperial Government. It is at this point that we are brought up once more against the fundamental difficulty to which attention has already been called, of separating out native affairs as a distinct subject. No clear-cut division of subjects into those which do and do not affect native policy is possible, and a control exercised for the purpose of enabling the Imperial Government to discharge its responsibilities in this matter must cover the whole field of government.

The particular constitutional device of a federal system, therefore, offers no help towards a solution, and we are brought back to the same problem which we have already discussed under the heading of " Reservation of Subjects."

In this connection the experience of South Africa is illuminating. When the National Constitution met to consider the subject of union and to draw up a constitution, the fact that the native question touched at some point almost every subject and cut across every line of division led the Convention, after prolonged debate, to decide in favour of union rather than federation.*

The precedent of South Africa is interesting not only as an illustration of the difficulty of separating out native affairs, but also as indicating that if there is to be a " closer union " between the Governments of the territories of Eastern Africa, it would more suitably be in the form of a central unitary government than of a federation. But whichever form is adopted, the essential difficulty remains that if the Imperial Government is to retain real responsibility in regard to native interests and inter-racial questions, its sphere of control cannot be limited by subjects, but must extend for these purposes over the whole range of government. The fundamental problem of reconciling Imperial control for these purposes with the growth of political freedom and responsibility for the local communities remains the same.

It is important that this should be understood and that there should be no idea that the establishment of a Central Authority

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* In the Union of South Africa the provincial councils have certain powers granted to them under the constitution, but these are subject to the ultimate control of the Union Government. The ordinances of the provincial councils require the assent of the Governor-General in Council and this assent " is not by any means a formality and is of special importance as it can be and has been used to secure the observance of the rule that the control and administration of native affairs and all matters specially or differentially affecting Asiatics throughout the Union is vested in the Governor-General in Council." (Berridale Keith, *The Constitution, Administration, and Laws of the Empire*, p. 233.) Provincial legislation is valid only so far as it does not disagree with Acts of Parliament and can be superseded by such Acts.

The establishment of a unitary government is compatible with a large measure of devolution, and with a division of the functions of government for administrative purposes between the central government and the governments of the separate territories. Thus in South Africa certain functions and powers are assigned to the provincial authorities; similar opportunities can be developed in Eastern Africa But this does not affect the main problems noted above.

representing all these territories either in the form of a Federal or quasi-Federal Government or as the Central Government of a unified State could justify the relinquishment of its ultimate responsibility by the Imperial Government.

A central Legislative Council would doubtless take a broader view of many problems than the government of a single state, but unless it were made clear that the final authority on inter-racial issues and native policy must remain with the Imperial Government, the same conflict between unofficial and official representatives might ultimately be renewed on the larger stage.

On the other hand, the establishment of a Central Authority in Eastern Africa apart from other advantages may greatly help to make the exercise of Imperial direction of policy more helpful and effective, and to open up greater opportunities for admitting the local unofficial communities into partnership in its exercise, and it is on these lines that our later proposals are developed.

## The Asiatic Complication.

No picture of the political problem in Kenya would be complete without a reference to the complications that have arisen from the presence of Asiatic communities, and in particular of the Indians, whose activities have been described in Chapter II. We shall deal with this matter more fully in presenting our proposals for the revision of the Kenya constitution, but it is relevant to note here that the problem is not merely to find a *modus vivendi* as between the immigrant communities on the one side and the natives on the other, but also to reconcile divergences of interests between the immigrant communities themselves and to provide for the adequate representation of their several interests on the Legislative Council.

## The Conditions of a Solution.

Having failed to find satisfaction in any of the solutions which have been thus far considered, we have now to enquire whether any system of government can be devised which is better adapted to Eastern African conditions than those which have been rejected.

The problem for which we have to find a solution, is to discover a form of government which, on the one hand, will make Imperial control both effective and acceptable in matters in which Imperial responsibilities are involved and in which the conflicting interests of the different races inhabiting the territory call for impartial adjudication, and, on the other hand, will provide sufficient scope for the political energies of an immigrant community accustomed to representative institutions and imbued with ideas of self-government.

The Imperial Government must retain such control as will enable it—

First, to discharge the obligations which it has assumed for the progress of the native inhabitants, and as part of this task to preserve a fair balance between the interests of the natives and of the immigrant communities;

Secondly, to ensure the carrying out continuously and without vacillation throughout Eastern and Central Africa of a policy adapted to the varying conditions of different tribes and localities, but inspired by the same controlling ideas and based on the same fundamental principles;

Thirdly, to fulfil its international obligations; and

Fourthly, to ensure that policy in Eastern and Central Africa is not in conflict with British policy in other parts of the Empire, and in particular to prevent discrimination against any class of British subjects.

It is necessary further that the control should be exercised in such a way as will command the respect and confidence, and enlist the co-operation, of the local communities.

On the other hand, in order to satisfy the legitimate claims of the local communities the form of government must be such as will—

First, allow opportunity and scope for local initiative, make full use of whatever political experience and capacity are found in the country, and provide for the growth of political responsibility in both the native and non-native communities;

Secondly, reconcile the conflicting interests of the various immigrant communities and promote co-operation between them; and

Thirdly, create in the minds of the immigrant communities a feeling of security which will rid them from anxiety lest a change of party at home may lead to a sudden reversal of the conditions under which they settled in the country and from the fear that their fortunes are at the mercy of an ill-informed and incalculable public opinion in England.

Incompatible and difficult to reconcile as these two sets of objects may appear, no plan can be regarded as satisfactory which does not in some measure achieve both. There is no ready-made constitutional device by which the two radically different conceptions of government represented on the one hand by paternal autocracy and on the other by modern democracy with its conception of popular responsibility can be reconciled in a consistent and logical system. There is no simple way out; no complete or final solution within sight. All that is practicable is to keep both the objects to be achieved steadily in view, and to take such steps as at each stage are possible in the pursuit of either object, so far as this can be done without the surrender or neglect of the other.

It will be easier to do this if it is recognised that it is neither necessary nor desirable that the responsibilities and work of government should be concentrated in a single centre; they may with great advantage be more widely distributed. Attention has already been called to the fact that a proper balance of interests and powers in a community is the presupposition and basis of freedom. One reason of the inadequacy both of the Crown Colony system of government and of responsible government as solutions of the problems with which we have to deal is that in both the functions of government are conceived too much as an indivisible whole. Responsible government involves the transfer of the ultimate power of decision in all matters to a local electorate, since, as we have seen, the reservation of powers to the Imperial Government cannot easily be reconciled with full local responsibility. In Crown Colony government, on the other hand, the control of the Imperial Government, exercised through an official majority, extends over the whole field of legislation and administration. The first step towards a successful solution of the political problems of Eastern Africa is to distinguish more clearly than has hitherto been done between the functions, first, of the Imperial Government, exercising its powers through a central authority in Eastern Africa: secondly, of the local legislature and, thirdly, of local government institutions. In the proposals which will be found in later chapters the responsibilities and functions of government are regarded as distributed between different organs, all closely related and mutually dependent, and all forming part of a single system of government, but each having its own proper and distinct field of responsibility and action.

It will be seen that we attach great importance in the conditions which exist in Eastern and Central Africa to the development of the institutions of local government, under which head we include native administrations. The more such institutions can be developed the larger will be the field in which real freedom and responsibility can be given to homogeneous racial communities in the management of their own affairs.

On the other hand there are, as we have seen, in existing conditions in Eastern and Central Africa certain questions which must in the last resort be determined by the Imperial Government as the arbiter between the conflicting interests of different communities, and which from their nature cannot justly or safely be left to the final decision of the Legislature of Kenya if an official majority in the Legislative Council is no longer retained.

It is only natural that Englishmen trained in the traditions of parliamentary institutions should carry with them overseas the ideas and methods of government to which they have been accustomed at home. But the character of these institutions may undergo a complete change when they are transplanted to countries where the conditions are entirely different, and but

little examination is needed to make clear that the Legislative Council in Kenya is in fact a quite different kind of assembly from the legislature of a democratic state.

Democratic institutions are founded on the principle that where there is a conflict of opinions or of interests the matter is decided by the vote of the majority. The minority give way for the time being in the hope that they will be able in due course to persuade a sufficient number of people of the rightness of their opinion to secure a majority in their turn. But it is just this method of deciding questions by the vote of a majority that is inapplicable where the interests of different and politically separate communities are in conflict. It will be seen later that one of our recommendations is that there should be separate and independent representation of native interests in the Legislative Council in Kenya so that there will be a group of nominated European representatives of native interests as well as the group of European elected members and the group of Indians. The important point to notice is that in such a Council the relative strength of parties is not determined as in democratic countries by a general election, but is fixed by the constitution. Hence on any issue which involves a conflict of racial interests the possibility is excluded of a minority or an opposition appealing to the verdict of the people and being returned to power. This essential feature of democracy cannot be introduced into Eastern Africa, since it might ultimately place the institutions and enterprises which have been created by the initiative and resources of the white race at the mercy of an inexperienced and politically immature black race. But just as little is it justifiable to set up a constitution which gives to the representatives of the small white community a permanent majority in the Council, able to decide by its superiority of votes all questions affecting the lives and interests of the unrepresented masses of the population. It follows that, where there is a conflict between the interests of different communities, the issue ought not to be decided by the vote of a majority in the Legislative Council, since this would mean that one community could impose its will on the other. Recourse must be had, therefore, to some other method.

There appear to be three methods, and only three, by which when there is a conflict of views or of interests the issue can be settled. The first is by physical force. The parties may fight and the victor impose his will on the vanquished; or the weaker may be unable to fight and have no choice but to submit to superior strength. But he is not likely to submit passively for long, and the effort of holding another man down is exhausting even for the stronger. The second method is the parliamentary one of settling differences by the vote of a majority, which we have seen to be inapplicable where the interests of different communities are involved. The only other method is that the question at issue should be decided by a disinterested and impartial authority.

It is to this third method of settling differences that we must look for a solution. The Imperial Government alone possesses the authority necessary for this purpose, but its powers of control cannot be satisfactorily exercised from a distance. It is in order to provide for the more effective exercise of these powers that we recommend the institution of a Central Authority in Eastern Africa. The decisions of such an authority may be expected to command greater confidence and respect than those of a distant authority, since a Central Authority in Eastern Africa will be in more direct touch with the local situation and the local communities will have a larger opportunity of contributing their experience to his decisions.

It is clear from what has been said that the reference of a certain class of questions to the decision of an impartial authority is necessary, not because of any lack either of political capacity or of the sense of justice in the local communities, but because of the racial conditions which exist in Eastern Africa.

## General Outline of Proposals.

Further consideration of the functions and powers of the Central Authority must be reserved until certain other purposes which such an institution may serve have been discussed in the chapter which follows.

We may conclude the present chapter by giving, partly by way of summary of what has been said here and partly in anticipation of proposals which will be set forth in greater detail in later chapters, a general outline of our recommendations.

These involve :—

(*a*) The creation of a Central Executive Authority for the three territories of Eastern Africa, in the form of a High Commissioner or Governor-General, who will represent the Secretary of State on the spot, and whose functions will be to exercise a general supervision over the government of the three territories and to use such powers as are delegated to him to intervene in legislation when this is necessary for the purpose of giving effect to Imperial policy on any matter, or for the protection of any racial community.

The essential object of this part of our proposals is twofold, first to bring the authority of the Imperial Government into closer touch with local conditions, secondly to provide a living arbiter to intervene when in his opinion any particular piece of legislation affects racial interests or any essential part of Imperial policy. This is in substitution for any attempt to make a rigid division between subjects which are to be within, or outside, the competence of the local legislature, for this division we have shown to be impossible.

Our proposals as regards the Central Authority include measures for keeping him in close touch with the Secretary of State and the Imperial Parliament, and for reinforcing the authority of their decisions by measures which will command the confidence of opinion both in Africa and in England.

(*b*) The formulation in the clearest manner that is possible of the main principles of Imperial policy particularly on all matters affecting native interests and the relation between natives and immigrants, so that the need for the intervention of the Central Authority may be reduced to a minimum.

(*c*) The development to the full of the institutions of local or municipal government, so as to give opportunities for self-government in local affairs to homogeneous racial communities and thus reduce the business of the Legislative Council with its necessarily mixed representation.

(*d*) Measures for increasing the efficiency of the executive and the association of unofficial representatives in an advisory capacity with the administrative activities of government.

(*e*) Subject to (*a*) and (*b*) an increase in the proportion of the unofficial representatives in the Legislative Council of Kenya, such increase to take account both of Indian and of native interests, and to be undertaken step by step, the underlying principle being that official control in the Legislative Council can only be relaxed according to the measure in which the effective power of the Central Authority is established, and the guiding principles of policy on matters which are subject to Imperial control gradually become more clearly defined and accepted.

## CHAPTER V.

## CO-ORDINATION OF SERVICES.

In the preceding chapters we have dealt with the most important part of the problem which has been referred to us, namely, the question of the institutions of government suitable to immigrant and native communities living in contiguity, and our analysis of the situation has led us to recommend the creation of a Central Authority for Eastern Africa, to supervise and co-ordinate policy for all the dependencies on matters affecting the relations between the communities and to ensure that the scales of justice are held even between them, and to secure Imperial interests and the proper discharge of the responsibilities of His Majesty's Government. We pass now to consider another aspect of the problem, the co-ordination of services of common interest to the territories concerned. Analysis of the situation under these aspects brings us to a similar conclusion that a Central Authority

is required as an organ of government for evolving a common policy and to co-ordinate the interests of the several territories.

The services to which our attention has been particularly directed in our terms of reference are transport and communications, defence, customs, and scientific research. We shall proceed to consider these in the order named.

## Transport and Communications.

According to our terms of reference under this heading, it is necessary for us to consider two questions :—

First, whether " by federation or some other form of closer union more effective co-operation between the different Governments in Eastern and Central Africa may be secured in regard to the development of transport and communications " ;

Secondly, " what improvements may be required in internal communications between the various territories so as to facilitate the working of federation or closer union."

As regards the first question, it is, of course, in one sense obvious that " more effective co-operation " could be secured by " closer union," and we interpret the question put to us as intended to elicit an expression of opinion on the working of the present systems, the need for more effective co-operation, and the form of central or co-ordinating authority required to promote such co-operation.

We propose to consider this subject under four main headings :—

1. Railways, Ports and Harbours, and Inland Water Transport.
2. Roads and Mechanical Transport.
3. Aviation.
4. Posts and Telegraphs.

In this chapter we devote our consideration primarily to the territories of Kenya, Uganda, and Tanganyika, and, though certain references are made to Nyasaland, Northern Rhodesia, and Zanzibar, our main recommendations with regard to those territories appear later.

### Railways, Ports and Harbours, and Inland Water Transport.

#### I.—*General Account of Existing Systems.*

The Kenya and Uganda systems are already united under one administration, the executive head of which is the High Commissioner for Transport, who is the officer administering the Government of Kenya. The High Commissioner is advised by a Transport Council on which both the Governments and the unofficial communities of Kenya and Uganda are equally represented and by a Port Advisory Board. The finances of the

system are kept separate from the general finances of the two Governments in the sense that railway revenue and expenditure are provided for in a separate Budget and not included in the Budgets of the two Governments. There is, however, no real financial independence. The Railway Budget, after being approved by the High Commissioner, has to be submitted to the Legislative Councils of Kenya and Uganda, who may by resolution approve or disapprove of the estimates or propose modifications. Such resolutions must be submitted to the Secretary of State, whose sanction is sufficient authority for the expenditure specified in the estimates. Further, all capital expenditure beyond what can be met out of surplus railway revenue has in practice to be provided by advances made by the two Governments.

The system is self-supporting, and, since 1922, revenues have been sufficient not only to meet all operating expenses and the service of all loans, but also to build up substantial reserve funds for renewals and betterment. According to the arrangement made in 1922, all surplus profits, after meeting loan charges, are allocated to these two funds, and there is an understanding that no part of the railway revenues will be transferred to the general revenues of the two Governments

The capital invested in the development of the system has been provided partly by advances-in-aid amounting to £5,686,437 made by the Imperial Government between the years 1896 and 1902 to the Kenya Government, which have operated hitherto as free grants without interest;* partly by advances made by the Kenya Government out of its own resources or loan funds, and partly by allocations from the Betterment Fund. The Transport Administration has also taken over from the Government of Uganda responsibility for the service of certain small loans from Imperial Funds for railway construction.

No direct advances have yet been made by the Uganda Government, but in future any railways built in Uganda will be financed from funds supplied by it, and it will have to raise loans in the same way as the Kenya Government has done for this purpose.†

The Tanganyika system is under the direct control of a Government Department but the finances are kept separate from the general finances of the Government.‡ The results of the operation of this Department show a steady improvement over the last few years, and it has now reached the stage when surplus earnings are

* The question as to how this advance is ultimately to be dealt with is to come up for consideration with the Imperial Government in 1933.

† This method will apply, for example, to the proposed extension from Jinja to Kampala, to meet the cost of which the Uganda Government proposes to apply for authority to issue a loan guaranteed by the Imperial Government under the provisions of the Palestine and East Africa Guaranteed Loans Act of 1926.

‡ Any proposal for dealing with the Tanganyika system must take into account the question of ownership of public property in mandated territories.

sufficient to meet the service of loans raised for the capital works of the system, but they do not yet provide sufficient margin for building up adequate funds for renewals, betterment, and minor capital improvements.

The Tanganyika Railways (apart from a short light line in the south starting from Lindi) consist of two principal systems which are not physically connected; these are :—

(*a*) The Central system consisting of a single line running from Dar-es-Salaam to Kigoma on Lake Tanganyika with an important branch, just completed, from Tabora to Mwanza on Lake Victoria, a port served by the inland water transport belonging to the Kenya-Uganda system.

(*b*) The Northern system running from the port of Tanga to Moshi on the slopes of Kilimanjaro from whence an extension of about 45 miles is now being built to Arusha. A junction line was built during the war from Voi on the Kenya-Uganda Railway to Kahe on the Tanga system. This line has been reconditioned by the Kenya-Uganda line and most of the traffic to and from the Moshi-Arusha district passes over it to Kilindini.

There are thus already two points of contact between the Kenya-Uganda and Tanganyika systems, at Kahe as mentioned above, and at Mwanza on Lake Victoria, where the Tanganyika system links up with the Kenya-Uganda steamer service.

The Tanganyika system was originally constructed by the German administration before the war, while certain capital assets were added during the war. The whole of this system was taken over without payment by the Tanganyika Government after the war. Since then, capital expenditure on the Tabora-Mwanza branch, additions to rolling stock, and other improvements has been provided by the Tanganyika Government out of grants and loans-in-aid from the Imperial Treasury and by the issue of a loan guaranteed by the Imperial Government under the Palestine and East Africa Guaranteed Loans Act of 1926. The valuation of the Central and Tanga lines as taken over from the German Government stands in the capital account at £4,894,050.

### *II. The case for Central Control.*

Prima facie, there is a strong case for united control of the railway, harbour, and inland water transport systems of Kenya-Uganda and Tanganyika. It has already been pointed out that there is an essential geographic and economic unity in these three territories; it is a corollary of that unity that the system of communications should be developed according to a common policy. At present there are parallel trunk lines running inland from the ports of Kilindini and Dar-es-Salaam and serving what may be

described as a joint "hinterland." It is a joint hinterland in the sense that it is united by the navigable waters of Lake Victoria, while, as there are no great physical obstacles at any part between these territories, the natural watershed for traffic attracted to either of the two systems does not necessarily follow the territorial boundary. Further, behind these territories lies the Belgian Congo, the eastern portions of which would find their natural link with a seaport on the east rather than the west, and offer chances for important traffic which might be competed for by both lines.

It is obvious that the common factor of British administration in all these territories ought to be utilised not only to avoid wasteful competition or duplication of effort in serving the joint hinterland described above; but also to secure such advantageous results as may be achieved by a development of inter-territorial trading. All these considerations point to the importance of a single control.

The advantages of such a single control have been well summarised in a memorandum prepared for us by the late General Manager of the Kenya-Uganda Railways as follows :—

(1) The adoption of a considered, comprehensive, and definite policy in new railway construction.

(2) The avoidance of competition between different railway lines for traffic to or from the same area.

(3) The development of ports to the extent necessary to serve the territories efficiently, and concentration of large development schemes on selected ports, rather than on a multiplicity of small ports; the prevention of wasteful competition between ports.

(4) The assimilation as far as practicable of the railway and port charges for services rendered.

(5) The unification of methods of management and working and the avoidance of duplication of work in departments.

(6) Gradual standardisation in track, equipment, vehicles, workshops, etc., etc., so as to ensure economic inter-colonial working when the railways are physically connected.

There have already been signs of a practical need for some common authority. Now that the Tanganyika line has reached Mwanza there is an area of possible competition between the two systems about Lake Victoria. The extension from the Central Tanganyika line to Mwanza was financed by a loan guaranteed by His Majesty's Government under the provisions of the Palestine and East Africa Guaranteed Loans Act. The Advisory Committee which recommended the sanction of a loan for this purpose emphasised in its report that "railway policy in the various territories under British administration in East Africa should be regarded as a whole," and that "any new construction of more than purely local importance should be considered in its relation to a common policy for the development of those territories, and should

only be undertaken after full consultation with the Governments of all the territories concerned." The Committee's recommendation was given " on the understanding that a satisfactory agreement as to rates should be concluded between the two Governments " so as to avoid wasteful competition. We were informed during our visit that a provisional agreement between the General Managers of the two systems for regulating rates so as to avoid competition was on the point of completion, but the most recent reports indicate that there has been difficulty in reaching final agreement in certain directions. In any case, such an agreement even if concluded now between the General Managers, might be objected to by the Legislatures of Kenya and Uganda at the time when the Railway Estimates were laid before them. Its ratification and maintenance would then require the intervention of the Secretary of State, and we have stated elsewhere the objections to any system the proper working of which demands the intervention of the Secretary of State, except in very exceptional circumstances.

Another point of contact between the systems of Tanganyika and Kenya is on the Tanga-Moshi-Arusha line which, as already pointed out, is physically connected with the Kenya system by the Voi Junction line. This northern railway system, although it lies in Tanganyika Territory is, as a railway undertaking, much more closely connected with Kenya, for the whole of the area which it serves, outside a comparatively short radius from Tanga, looks to Kilindini as its port of export. The Parliamentary Commission of 1924 in its Report* (page 122) wrote as follows :—

> " In view of the existing physical connection between the Tanga line and the Uganda Railway by the existence of the Voi-Kahe branch constructed as a military railway during the war, we recommend that the management and operation of the Tanga line should be transferred forthwith to the Uganda Railway."

This view was endorsed by the East Africa Loan Committee when it recommended the provision of funds for the extension of the Tanga line from Moshi to Arusha. We understand that discussions as to this transfer of management have since then taken place but have hitherto come to nothing owing to failure to reach agreement on the financial terms.

We support the recommendations referred to above on the ground that we regard it as the natural arrangement, and therefore likely to be the most efficient, that this railway system which evacuates the greater part of its traffic over the Kenya-Uganda system through the port of Kilindini should be under the same management as the latter. The whole of the arrangements and conditions for the transfer require most careful local enquiry, which we were not able to undertake. It is, however, quite clear that such

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* Cmd. 2387.

a question as this is not likely to be settled by mutual agreement and requires the intervention of an impartial authority which can assess what is the best course in the joint interests of all concerned. Connected with this question is that of the policy for the port of Tanga, which also requires to be reviewed in the light of joint interests, as noted below.

The practical need for some central directing authority is also already apparent in connection with such matters as the standardisation of equipment. We understand, for example, that the braking systems employed for rolling stock under the two administrations are different, so that in the event of a physical connection being ultimately established, a pooling of rolling stock would not be possible without expensive alterations.

Again, practical questions are likely to arise in connection with the development of the Tanganyika ports of Tanga and Dar-es-Salaam. Although we recognise that, whatever railway development may in future be undertaken, it will remain necessary to handle a fair amount of local trade at Tanga, and a very substantial amount of trade at Dar-es-Salaam, nevertheless, the total amount at least of the latter might be seriously affected by the construction of a connecting link, say from Dodoma to Arusha, for in that case a portion of the Tanganyika traffic might be attracted to Kilindini by the better handling and shipping facilities which this larger port will always be able to command. Such a possibility as this must be borne in mind in considering developments at Dar-es-Salaam.

Apart from the above considerations which point to the need for a common policy for the three territories, it appears that even as between Kenya and Uganda some new form of central railway authority is desirable, for the evidence put before us indicates that the unified control which has in a measure been established as between these two territories is not likely to be entirely satisfactory as a permanent arrangement. While the existing transport administration of the Kenya and Uganda railway systems is directly responsible through the High Commissioner to the Secretary of State, the Legislatures of Kenya and Uganda have to pass any ordinances required and have the right to consider and pass resolutions on the Estimates. This is a weakness in the position, and the arrangement can only work satisfactorily as long as there is no great, or greatly agitated, difference between the interests represented by the two Legislatures. Were such differences to arise, there is no authority, short of the Secretary of State, competent to compose them in the general interest, and, as previously indicated, this is an unsatisfactory arrangement. The position of the High Commissioner for Transport as adviser to the Secretary of State on such matters cannot but be weakened by the fact that as Governor of Kenya he has a special connection with one of the two territories. In expressing these views we do

not wish to ignore the great advance which the measure of unification now existing represents over the conditions which preceded it. We received on all sides evidence that this was recognised, and it was clear to us that the representatives of the two territories had shown a statesmanlike endeavour to appreciate each other's needs and difficulties. But it is almost too much to expect that matters, such as rates, on which a real conflict of interests must inevitably from time to time arise, can always be settled by mutual agreement.

For all the above reasons it seems to us that it is desirable that there should be established some central form of control, more closely in touch with the whole situation than the Secretary of State can be, for the purpose of settling a common policy as between the three territories, for ports, railways, and inland water transport, covering new projects, rates, and other matters.

Having arrived at this point, it is necessary to consider what the nature of such control should be, the extent to which it is to be exercised, and the authority which is to exercise it.

It is important in the first place to be clear as to what is meant by control. The control of any system of railways has two aspects, direction of policy and executive management. Hitherto we have only considered the former as a means for ensuring, in the interests of efficiency and economy, a common plan of development, a common rates policy, and standardisation of equipment. A single control of executive management can also be advocated as likely to promote efficiency and economy through the pooling of stores, financial resources, and managerial staff, with the consequent opportunity both to increase the pay of the highest posts and to reduce overhead charges in relation to the whole volume of business.

These are the well-known advantages of amalgamation; but one must also be alive to the dangers of over-centralisation in the case of widely-spread undertakings, and policy must be decided not on theoretical grounds, but with close reference to the conditions which actually prevail. Our conclusion in the present case is that it would not be wise to attempt complete unification of management until there is a physical connection between the two systems. Until such a connection is established it would not, in fact, be possible to realise the advantages of unification, while difficulties of communication would make it necessary to retain a wide decentralisation of executive responsibility.

While this is a practical consideration which limits the field as regards immediate changes in organization, the retention of independent managements is not inconsistent with a very complete unification of interests combined with a central supervisory control. An illustration of this sort of control can be found in the position of the Railway Board of the Government of India, which is the

directly controlling authority of the four State-worked systems aggregating 13,449 miles, the representative of the predominant owning partner in systems aggregating 14,315 miles, the guarantor of many other companies, and the statutory authority over all railways in India. A central authority in such a position, with the ownership of all railways vested in it, could exercise control in the following ways :—

(1) Financial control, i.e., over the provision of capital and authorization of expenditure;

(2) Control over policy of new construction—which really follows from financial control;

(3) Technical control in connection with standards; and

(4) Central control over rates.

Under such a system, although wide powers would be delegated to local managers, their work would be subject to an annual review by the central authority (technical inspection on the use of standards and general efficiency, &c.).

The introduction of such a form of unified ownership and control would of course be possible for the three territories of Kenya, Uganda, and Tanganyika, but before recommending such a step it is necessary to be clear as to exactly what it involves.

It would mean in the first place the transfer of primary powers of legislation on all railway matters to a central or federal authority, and the abandonment of such powers by the legislative councils of each territory. This in effect would mean the transfer of a very important part of the business of government. The control of rates is a matter of special significance, for railway rates have an intimate effect on the economic position of every individual in the country. We understand that the question of rates still causes difficulties in India. In the territories which we are considering they are a matter of special importance, for they could, as has already been pointed out, be used to benefit the position of the immigrant community at the cost of native producers, or vice versa. If, for example, unduly high rates were charged on cotton from Uganda and unduly low rates on maize from the highland areas in Kenya, it might be said that the natives of Uganda were being taxed unfairly in order to pay what amounts to a bounty to the European farmers of Kenya. As such charges have in fact already been made, we must here state that we do not imply that we in any way endorse them. In fact, we have seen no evidence to show that the railway management is doing more than to pursue a reasonable economic policy of making each class of traffic pay such rates as it can fairly stand. But this particular case is significant as an illustration of how intimately control of railway rates is mixed up with political issues and the whole business of government.

'In the second place, such a central control as we are considering would closely affect the general interests of the territories by determining the policy for new construction, as, for example, in the case of a choice between an approach to the Congo through Tanganyika Territory, south of Lake Victoria, or by an extension of the Kenya-Uganda Railway from Kampala. In such a case the general interests of the Tanganyika and Uganda Governments would be greatly affected by the decision as to which of their territories such a line should traverse.

Lastly, the question of how far a merger of financial interests would be necessary requires careful consideration. One of the chief objects must be to have a single control of rates and the distribution of traffic so as to achieve the best economic return for the whole system regardless of the results on any particular section. But this would hardly be possible if the interests in the earnings of the various sections were not identical. There would be considerable difficulties in arranging such a merger at the present stage. Reference has already been made to the difference in the earning power of the two systems, which creates at present a position in which the Kenya-Uganda system might be represented as a profitable asset, whereas the Tanganyika system is rather in the nature of a liability to its Government, inasmuch as the net surplus is not sufficient yet to produce an adequate appropriation for renewals. It is true that the Kenya and Uganda Governments would not sacrifice any revenue by a transfer of their railway system, because, according to the arrangement adopted since 1922, all surplus profits, after providing for the necessary allocations to renewals and service of loans, are retained for addition to the Railways Betterment Fund. But surplus profits have also a significance as justifying reductions in rates, and the public of Kenya and Uganda might well object if they saw the surplus revenues of their own system being applied to pay for renewals and betterment in Tanganyika, instead of to improving their own lines and reducing their rates. On the other hand, the relative position of the two lines may not improbably alter in the future. The Tanganyika system is steadily improving its results, while the Kenya-Uganda system is faced at present with the need for considerable capital expenditure, both at the Port and on the railways, and also has hanging over it the possibility of having to meet charges in respect of the original advances in aid of £5,686,437 made by the Imperial Government.

All these conditions create uncertainty at the present stage, and although the representatives of the unofficial community in Kenya appear inclined to take a far-sighted view—wisely, as we think—and to give favourable consideration to a merger on equal terms, the whole of the implications have not yet been thought out,

and it would not be fair to impose any such arrangement on the local communities without ample time for careful consideration.

The ownership of the Tanganyika system must, according to Article 257 of the Versailles Treaty, remain vested in the " Mandatory Power in its capacity as such." The ownership must therefore apparently be kept separate, but it does not appear to be inconsistent with the principle of the Mandate that an arrangement for the pooling of expenditure and receipts with adjoining systems should be made, provided that it is clearly fair to Tanganyika. It would be necessary to satisfy the Mandates Commission on this point (see Chapter XII).

The conclusions at which we have arrived after a careful consideration of the whole position may be stated as follows. We believe that the difficulties to which we have referred can eventually be overcome, and that a single control and merger of financial interests for the whole railway, port, and inland water transport systems of Kenya-Uganda and Tanganyika is ultimately desirable. Every effort should accordingly be made to work towards this end. On the other hand, as a conflict of interests on railway policy may still arise as long as the territories have separate interests as regards their general finances and administrations, the successful working of a unified railway system seems to involve a corresponding political unification, established with such common consent as to carry authority when questions involving conflict of interests have to be decided. Further, the financial implications of unification require careful study before any such measure is imposed on the local communities.

These conclusions may be stated in another way which helps to determine the course to be taken in the immediate future. Policy as regards railways and other communications in the conditions which prevail in these territories is so intimately bound up with the whole business of government, and so closely affects the general interests of the local communities, that arrangements for dealing with railway interests ought to conform to what is possible in the political sphere. Our recommendation in the political sphere, as will appear more fully in a later chapter, is that the time is not ripe for the creation of a central legislature, to the control of which important subjects now dealt with by the local legislatures could be transferred, but that for the present such co-ordination of policy as is desirable in the joint interests of all these territories, together with such control as the Imperial Government's obligation of trusteeship for the native demands, shall be obtained by creating a Central Authority for Eastern Africa, representing the Secretary of State on the spot, and thus bringing the existing authority of the latter into closer contact with local conditions. It is on these lines that we propose that the necessary central control in the matter of railways, ports, and communications shall for the present be secured.

It is important to test the adequacy of this recommendation by examining what are the immediate practical requirements. The most important of these are as follows :—

(1) To settle on a sound basis a policy of railway rates for traffic to and from the " area of competition " which has been created between the two systems by the extension of the Tanganyika line to Mwanza on Lake Victoria.

(This must be settled as a special case, and it does not appear either necessary or desirable at present to bring the general tariff on the Tanganyika system into accord with that on the Kenya-Uganda system. The former, with its need for catering for the existing through traffic to the Congo, is in quite a different position to the latter.)

(2) To inaugurate a local enquiry into the factors affecting a transfer of the management of the Tanga-Moshi-Arusha system of railways and the port of Tanga, or of a part only of the railway system, from the Tanganyika Railway Department to the Kenya-Uganda Railway Department, and, if thought fit after such enquiry, to direct arrangements for such transfer on terms which are financially fair to Tanganyika.

(3) To create efficient machinery for carrying out a proper development policy : such machinery must provide for the direction of preliminary enquiries; to formulate a policy for development of railways, ports,* etc.; to execute such a policy; and to provide for the necessary funds. The first step to be taken would be to inaugurate a systematic method of enquiry, co-ordinated for the three territories, into all the economic and other factors on which the general policy of future main line railway extensions should be based, with particular reference to through routes to the Congo and inter-territorial trunk lines.†

Specially organized enquiries—such as we have referred to in the section on Land Settlement Policy—will occasionally be necessary, but at the same time a continuous process of collecting relevant information, and keeping it up to date

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* Zanzibar should be represented at enquiries and conferences dealing with port development policy.

† It must be noted that, although special reference is made to main trunk lines, the policy for constructing lines for local purposes ought not to be framed without regard to the main development programme. The main through routes must justify themselves by the traffic collected in the country through which they pass and may in practice be built up step by step by short lengths of line constructed for local purposes. The important thing is that effort should not be wasted in building a line which can never be more than a mere branch line when equally good local results can be obtained by building a line which will ultimately serve as a link in an important through trunk line connection : that is to say, wherever a move which offers an immediate " tactical " advantage also helps towards a " strategical " objective, it should be taken in preference to a move which offers a " tactical " advantage alone.

ought to be inaugurated, so that when any question of railway construction comes up it should not be necessary to take a decision without full information or to organize special enquiries, which, if undertaken in haste, are generally superficial. The organization of a joint railway intelligence service for the above purpose is a matter which might be left to the two general managers, but they will require authority to enlist the co-operation of other government services, while some central direction is also desirable. Further it would be advantageous if such reports and projects for railway construction in general could be submitted for review by a central authority, supported by advisers with special knowledge of railway economics and experience not confined to Africa.

(4) To ensure that the management of each system has the chance of learning lessons from any experience gained or efficiency shown on the others, by arranging for :—

(*a*) Periodical meetings between the technical officials of the different systems (railways, ports,* etc.);

(*b*) Periodical inspections of the systems by some outside technical expert so that standards of efficiency can be compared.

(5) To initiate such steps as are immediately possible to work towards standardization of equipment—so that rolling stock, etc., may be interchangeable in case, at a later date, a railway connection is made between the two systems.

A special enquiry, to be carried out by a commission of officials representing the two systems, would be a necessary preliminary.

(6) To provide an independent authority with final arbitral powers to settle railway questions as between Kenya and Uganda and ultimately to preside over an enlarged inter-Colonial Railway Council embracing the Tanganyika Railways also.

While some of the purposes referred to above might perhaps be achieved by special arrangements made in each case by the Secretary of State, they could in all cases be better carried out under the supervision of a special representative of the Secretary of State on the spot. The presence of such a representative would in any case be necessary for providing the independent authority referred to under (6). Our proposals for dealing with these matters are set out in the chapter containing our recommendations for the institution of a Central Authority. They cannot be properly explained at the present stage without anticipating what we have to say on the political organization. The most important of the present requirements is that referred to under heading (3) above

* Zanzibar should be represented at meetings dealing with Port questions.

—the creation of a proper organization for the planning and execution of a development policy. This matter has received special consideration in our proposals.

### III.—*Inter-territorial Connections.*

The second question which we have to consider is " what improvements may be required in internal communications between the various territories so as to facilitate the working of federation or closer union."

As Kenya and Uganda are already connected by railway, the main inter-territorial links which we have to consider are between Tanganyika and Kenya-Uganda on the north, and between Tanganyika and Nyasaland or Northern Rhodesia on the south.

*Northern Link.*—For the northern link the proposal which has received most consideration hitherto is that for a railway connection between Dodoma on the Tanganyika Central line, and Arusha, the new terminus of the Tanga system, but there is another possible alternative connecting route lying further to the east, between Kilosa on the Central Railway and Mombo on the line between Tanga and Moshi.

The Dodoma-Arusha link would be about 287 miles (460 km.), and is estimated to cost £1½ to 2 millions, while the Kilosa-Mombo link would be 195 miles (310 km.), and, assuming the rate per mile to be about the same, would cost £1 to 1½ millions. No instrumental survey has been made of either route, but the General Manager of the Tanganyika Railways has personally carried out a rough reconnaissance of the former, while German reports exist as to the latter. The evidence on both lines is sufficient to show that there are no serious constructional difficulties to overcome. No accurate economic reports on the country to be traversed by either route are available. The General Manager has stated that as the result of his reconnaissance he has formed the opinion that there are fair prospects on the Arusha route, while the Governor, in giving evidence before us, stated that, as an administrative connection, there was nothing to choose between the two routes, but that, according to his view, the economic prospects were better on the Kilosa-Mombo route. This would pass through good cotton country.

Before any decision could be taken to complete a through connection, it is obviously necessary to have more reliable evidence as to whether any route would be economically justified, and as to which of the various alternatives would be the most productive. We strongly recommend that the necessary economic and other surveys should be completed as early as possible, such a step in our view being urgent not merely for the purpose of settling a railway policy but also for planning, in conjunction therewith, a programme for land settlement, the need for which we have emphasised elsewhere.

The economic surveys for this particular purpose ought to cover the whole territory lying between the line Kilosa-Mombo on the east and Itigi-Singida on the west. In defining this area we have in mind, first, that according to several of our witnesses there are some very suitable areas for white settlement included within it, and, secondly, that the Tanganyika Government is actually proposing to build a line between Itigi and Mkalama via Singida as its next step in railway development. We understand that such a line has fair economic prospects, but that, as it could not be extended to form a through connection to the north, it can never be regarded as more than a branch line. There are limits—both financial and administrative—to the amount of railway construction that the Tanganyika Government can safely undertake, and, before a new branch line is built, we think the Government should be satisfied that there is no alternative line available which would tap equally favourable traffic areas, and which would at the same time possess the additional advantage of being capable of extension as a through connection to the north.

It will be gathered from what we have said above that we do not consider the political urgency for a through connection to the north to be so great as to justify its construction regardless of economic considerations. If a good trunk road between Mombasa and Dar-es-Salaam were available, the difficulties of traversing the whole of the territories would not be excessive, having regard to the new connection which now exists further inland via the Tabora-Mwanza Railway and Lake Victoria.

On the other hand, a through connection nearer the coast would have very great value, both in facilitating the task of a central government authority, and in creating conditions in which full advantage (in the way of increased efficiency and economy) could be derived from the introduction of united control for the railways. Therefore it is important to collect the information on which a decision could be taken, so that a start may be made in making a through connection as soon as it is justifiable.

*Southern Link.*—As regards the southern link, there are again two principal alternatives, either from Dodoma to the frontier of Northern Rhodesia at Fife, and thence to join the existing Rhodesian Railway at Broken Hill, or from Ngere Ngere or Kilosa on the Central Railway to Manda on Lake Nyasa, leaving the through connection to Broken Hill to be completed by a line from Karonga on the opposite shore of Lake Nyasa.

A line to develop the south-western area of Tanganyika and to open connection with Northern Nyasaland and Northern Rhodesia was recommended as an important step in Imperial development by the Parliamentary Commission of 1924. It was recognised, however, by that Commission that it could not be expected that such a line would be a paying proposition for a number of years and that the Tanganyika Government would not be strong enough to

meet any deficiency out of its own resources, so that their recommendation for its construction was conditional on the Imperial Government undertaking to provide a loan free of interest for a number of years. This recommendation was not accepted by His Majesty's Government, and the Palestine and East Africa Loans Act which was eventually passed merely provided for the issue of loans up to £10,000,000 to be guaranteed as to principal and interest by His Majesty's Government, without affording any relief to the borrowing Governments in respect of interest during the early years. The Tanganyika Government applied in due course for an allocation of £2,000,000 from the loan funds for the construction of a south-western line, but stated definitely that they would be unable to meet the interest charges, at least for a considerable period. In these circumstances it was impossible for the East Africa Guaranteed Loan Committee to recommend an allocation of funds for the construction, but the Committee thought that the proposition was of sufficient interest to recommend that the money required for proper surveys should be provided out of loan funds.

The Parliamentary Commission had originally recommended the Ngere Ngere-Manda route, but the Tanganyika Government after further consideration preferred the more westerly alignment, and it was to finance the Dodoma-Fife route that the application to the Guaranteed Loan Committee was made.

An instrumental survey was accordingly started by the Tanganyika Government on the line Dodoma-Iringa-Fife, and at the same time a preliminary economic reconnaissance of the country was undertaken. As a result of these enquiries it is now estimated that the cost of a line from Dodoma to Fife would be about £5¼ millions (instead of £2,000,000 originally asked for), while as regards the economic prospects the General Manager summed up his view to us in the following words :—

> " Bearing in mind the above, I cannot see any possibility of the railway being an economic success for at least twenty years, if ever, from the agricultural and pastoral prospects, nor can I see that it could even be economic if constructed in small stages at intervals."

The extremely high estimate of capital cost and this pessimistic view of the economic prospects are discouraging factors. Nor does this complete the tale of difficulties, for it must further be remembered that a railway terminating at Fife would have very little value as an Imperial through connection, and for such a purpose would require extension to join the Rhodesian Railway at Broken Hill. This would involve further construction of about 550 miles (870 km.) at a cost which the Tanganyika authorities estimate, as a rough guess, at about £4,000,000. The total through connection, therefore, from Dodoma to Broken Hill would cost £9¼ millions.

We have received evidence to the effect that the agricultural prospects in the area lying between Fife and Broken Hill—though it contains patches of good land—are not in general favourable, and the country is sparsely populated.

It must further be remembered that if the railway were extended to Broken Hill, it would not tap any new traffic at that point, but would come into competition with the existing Rhodesian Railway system for traffic which the latter is already well equipped to serve, and for which there will shortly be yet another competitive outlet via Lobito Bay.

While we find it difficult to see how so costly a line as this, passing through a country remote from any port of export, could find an economic justification from agricultural production alone, the position might be entirely altered by the discovery along its course of valuable and substantial mineral deposits. We are informed that a certain amount of prospecting for minerals is going on, but, though there are some encouraging indications along the Lupa River and in the territory to the south of Lake Tanganyika, no very important discoveries have yet been made. It must obviously be a long time—several years in fact—before any mineral deposit could be sufficiently developed to be judged as a sufficient justification for so costly a line.

In general, the whole question of a " Southern Link " from the Tanganyika Railways stands in the same position as that of the " Northern Link " ; that is to say, that there is not sufficient justification for the construction of such a line regardless of economic conditions, and that on the latter there is not yet sufficient evidence available to enable a decision to be taken.

We recommend that steps should be taken to carry out as soon as possible comprehensive economic surveys of the whole of the territory which lies within the scope of these schemes.

We were glad to find that the Governor of Tanganyika was in agreement with this view. He is not satisfied that the pessimistic reports of economic prospects on the Dodoma-Fife line represent the final verdict on the matter, and a special party consisting of the Assistant Director of Agriculture, an experienced political officer, and a surveyor, with assistants, is now starting on a more careful and detailed enquiry for determining the area of land which would be suitable and available for European settlement having regard to its agricultural possibilities, labour supply, and the requirements of the natives themselves.

This is a step in the right direction, and our only doubts are whether the measures proposed are on an adequate scale. We have already referred to the need for similar economic surveys in a large area to the north of the Tanganyika Central Line, and if the question of a " Southern Link " is to be considered in all its bearings, it is in our opinion necessary to collect information not

only as to the area which would be developed by the Dodoma-Fife line, but also the whole of the area which might be developed by alternative railway connections. We could not ourselves, after a short visit to the country, venture to express any opinion as to which is really the best alternative, but we have heard evidence at least sufficient to show that there are possibilities on the Kilosa-Manda route which must be seriously studied and weighed before any final decision can be taken.

This route would traverse much easier country, it would tap a denser native population, and in particular it would serve the large irrigable area of the Kilombero Valley, which appears to offer great possibilities for cotton and sugar cultivation, possibly to be developed on the basis of co-operative schemes between the Government, the natives, and a concessionnaire company organized on the lines which have been so successful in the Sudan. Such a scheme is now being studied. Moreover, such a line with its terminus on Lake Nyasa would at once complete an effective link with the southern territories, and this in itself constitutes an advantage over the Dodoma-Fife line, which, as pointed out above, can hardly be regarded as a " link " until it is extended to Broken Hill. A link with Lake Nyasa would become still more effective in the not improbable event of the Nyasaland Railway itself being extended to the south end of the Lake and thence to Fort Jameson on the Rhodesian frontier.

We have arrived at the conclusion, therefore, that both for the settling of a railway policy and a policy for European settlement (which we must again point out ought to be considered in conjunction), it is essential that the Tanganyika Government should be able to assess the possibilities of the whole of its territory lying south of the Central Line. We do not think it will be possible for the Government, relying only on its departmental resources, to collect the necessary information within a reasonable time, and we think that a more intensive effort should be made. We have discussed the matter with the Governor and understand that he agrees in principle with our view, but that he does not think that it would in practice be possible to carry out a reliable survey except under the direction of men such as his own officials who have an intimate knowledge of local conditions. We recognise the difficulty of securing men who combine both theoretical and practical qualifications, but we think that the effort ought to be made. We have reason to believe that the South African Government would be willing to assist by the loan of some of its own experienced officers for the purpose, and we recommend that steps should be taken to follow up this suggestion. What we have in mind is a systematic examination and survey of the whole country.

The agricultural enquiry cannot, of course, be of a very detailed nature and opinions must be formed rather on the observations

of existing vegetation than on any exhaustive investigation of soil samples and estimates of rainfall; for such an enquiry would be rendered impracticable partly by the size of the task and partly by the absence of reliable records. In the meanwhile, steps should be taken to start the systematic recording of rainfall statistics, etc., while the Government might also with advantage start testing practical conditions by putting down experimental farms in selected areas. It will of course take some time before this kind of enquiry produces practical results, but this affords the greater reason for starting it at once.

We think provision might suitably be made from loan funds to cover the whole cost of these enquiries and experiments.

In the absence of such enquiries we do not see how any continuous, purposeful policy either as regards railway development or European settlement can be carried out.

Before leaving this subject, it is necessary to refer to the railway connections of Nyasaland and Northern Rhodesia. The possibility of a railway link between these territories and Tanganyika has been discussed above. But at the same time the Nyasaland Government is considering a programme for its own connections to the south. This includes the construction of a railway bridge across the Zambesi on the route between Nyasaland and Beira, and an extension of the Nyasaland Railway northwards to a port on the Lake, and thence onwards towards Fort Jameson on the frontier of Northern Rhodesia.

It may perhaps be argued that if there is any chance of a line being built from the Tanganyika Railway to Lake Nyasa which would give Nyasaland an outlet to the sea by a route passing entirely through territory under British administration, then it is a mistake to spend money on perfecting a route through Portuguese territory; also that it would be a matter for regret if, by making the Nyasaland outlet through Beira satisfactory, the needs of Nyasaland could no longer be put forward as an argument in favour of completing a through railway connection from Tanganyika.

On the whole we do not think it would be justifiable to hold up the development of Nyasaland for the sake of the chance of getting a railway from Dar-es-Salaam to Lake Nyasa. The best and shortest natural route for Nyasaland is via Beira, and whatever railway connection is made with Lake Nyasa from the north, all the southern portion of Nyasaland must still continue to use the Beira route even if no bridge were to be built over the Zambesi.

We therefore think that the Nyasaland programme ought to be left to be settled on its own merits. If a railway connection should ultimately be made from the north, it will be to the advantage of Nyasaland to have an alternative outlet, but the country must be allowed to use whatever route suits it best.

The extension of the Nyasaland Railway to Fort Jameson would have a bearing on the administration of the eastern part of North-Eastern Rhodesia. This question is dealt with in our Reports on the Central African Territories.

To sum up the foregoing discussion :—

(*a*) The direct answer to the question put in our terms of reference may be stated as follows. " The working of federation or closer union " as between Kenya, Uganda, and Tanganyika would be definitely facilitated by the construction of a line connecting the main railway system of Tanganyika with the Kenya-Uganda system. Such a line would also facilitate joint working between the two railway systems, and thereby produce direct economies, and other indirect advantages. Pending its construction, a good motor road between Mombasa and Dar-es-Salaam would greatly assist official contact between the countries.

(*b*) Closer union or federation as between the three northern territories and the southern territories of Northern Rhodesia and Nyasaland could hardly operate effectively without a railway connection.

(*c*) As between Nyasaland and Northern Rhodesia closer union would be greatly facilitated by the continuation of the Nyasaland Railway from Blantyre to a port on Lake Nyasa and thence to Fort Jameson, together with the construction of a motor road from Fort Jameson to Lusaka or some other station on the Rhodesian Railway.

(*d*) While inter-territorial connecting lines offer the political advantages indicated above, the construction of the necessary railways cannot be undertaken regardless of economic considerations. None of the territories could, in point of fact, afford to construct and maintain the costly lines required unless they were economically justified, while it would be in any case important that, of the various possible alternative routes for a connection, those which would produce the best economic results should be selected. At present there is not sufficient information available on which to base a judgment as to whether any of these routes would be economically justified, or as to which of various alternative routes is the best. It is most important that an intensive effort should now be made to collect reliable information over the whole of the area concerned, so that a strategical plan for railway construction in Eastern Africa can be worked out in the light of knowledge of economic conditions over all the possible routes.

(*e*) Having settled the main plan it will probably be necessary to carry out the construction of trunk lines by a series of steps, each of which must justify itself as a measure for the development of the country through which it passes. The immediate concern of any Government must be to develop its own territory; but other things being equal, steps for local

development should be chosen which can also be used as steps towards the main strategical plan.

(*f*) On these principles the Tanganyika Government ought to aim at building branch lines which, while justifying themselves as branch lines, will serve as steps to through connections, both north and south. Of these, the northern connection appears to have the more immediate importance, but if for other reasons a southern branch line, say to the Kilombero Valley, is desirable, it would be an additional inducement for undertaking it if it would serve as a stage on a through route to the south.

By insisting on the importance of "economic justification" for railways, we do not imply that no railway project ought to be undertaken unless it can be demonstrated in advance that the direct railway results will pay. All the indirect results can legitimately be taken into account, while due weight should be given to the potentialities of the country affected and the power of the railway to alter economic conditions and attract population.

It is quite possible that there may be projects for railway construction opening the way to economic developments which, though of far-reaching importance, require a considerable period for their realisation. In such circumstances the local government of an undeveloped country will probably be unable to find the interest on the necessary railway loans during the intervening period, and development will be held up unless assistance can be given by the Imperial Government in the form of a remission of interest for the requisite period. Such a policy has on past occasions justified itself economically and proved advantageous both to local and to British interests,—notably in the case of the original Uganda Railway—and we advocate the creation of regular machinery for its continuance, subject to the necessary safeguards. The danger of course is that the possibility of raising money free of interest may encourage ill-considered enterprise, and the most careful study of conditions is necessary in each case. We have already strongly emphasised the need for this. Eastern Africa is not a uniformly fertile country, nor can the territories profitably be subjected to a policy of development pushed forward without considering limitations of labour supply and of markets for produce. The real needs are, first, the provision of regular facilities for raising capital on favourable terms which will be available at any time for projects which after careful study can be shown to offer economic possibilities on a sufficient scale;

And, secondly, the provision of machinery for undertaking continuous study of all the relevant factors, economic and otherwise, so that projects may be put forward after due deliberation when they are ripe for consideration, and not hastily prepared to take advantage of some particular opportunity, or to deal with some special emergency.

These conclusions are similar to those which have already been recorded as a result of our consideration of the existing railway position, and our proposals for meeting the needs to which we have called attention depend on the institution of a Central Authority for Eastern Africa. The whole matter will be more fully explained in the chapter containing our proposals for the Central Authority.

### Roads and Mechanical Transport.

The common interests of the territories in the matter of roads are almost exactly similar to those in the case of railways. In fact the policy as regards the construction of arterial roads is so closely linked with that for railways that the two ought always to be considered together. Whether the construction and maintenance of arterial roads and the running of Government mechanical transport services (if any) should be placed under the direction of the Department for Railways is a matter of local organization with which we are not concerned; but each Government must at least ensure that its policy for roads and railways is co-ordinated, and for the purposes with which we are concerned, all that has been said as regards central supervision of railway policy applies equally to the construction of main arterial roads. This does not necessarily imply that there must be a common standard for inter-territorial through roads, because, as agreed at the recent Governors' Conference, insistence on such a common standard would be inadvisable owing to the differences in local conditions. Nor does it imply that a central staff of surveyors for such through roads need be maintained—a measure which was also rejected by the recent Governors' Conference on the ground that it would result in delay in construction. But there is much to be gained by exchange of experience between the three territories as regards road construction, while the direction of policy, as in the matter of railways, ought to be finally supervised by the Central Authority, the institution of which we recommend, after discussion at inter-territorial conferences for the convening of which the Central Authority would be responsible.

It is particularly to be noted that all that we have said about the close connection between railway policy and the application of the Dual Policy applies equally to roads, and it will be equally necessary for the Central Authority to watch native interests in this matter.

In the preceding discussion of the railway position we have considered the two principal proposals for inter-territorial link railways—a northern link between the Central Railway of Tanganyika and the Kenya-Uganda Railway systems, and a southern link joining up either with Lake Nyasa or with the Rhodesian Railways. Although in each case we recommended further enquiries, which

must involve some delay before there can be any practical consideration of railway construction, we have expressed our appreciation of the importance of these through connections, and we think that there need be no delay in improving the road connections.

We note that the provision of funds for a project for an " all-weather " road from Dodoma through Iringa to the Tukuyu highlands of Tanganyika has been recommended by the East Africa Loan Committee out of the £10,000,000 Guaranteed Loan, and we think that such a road should be proceeded with at once.

We also recommend the construction of a permanent road through the coastal areas of Kenya and Tanganyika, which would provide a reliable means of transit between Mombasa, Tanga, and Dar-es-Salaam. The exact route should depend on local conditions.

The general policy of the territories with regard to mechanical transport, as agreed at the recent Governors' Conference, has been to leave the development of auxiliary road motor services to private enterprise. It was, however, recognised at the Conference that undue competition might arise with the Government railways, and it was recorded that in that case " the situation might be righted by raising the motor vehicle licence." This is a matter in which it is important to maintain exchange of experience between the territories, and a common policy.

While private enterprise working with standard vehicles may be left to develop transport over reasonably good roads, there are conditions in all the territories in which it may be of great value to develop some commercial means of " roadless " transport. Much research and experiment is required before this sort of transport will be possible as a commercial proposition for handling on a large scale any but very high priced products. This form of transport might be of such great value in handling feeder traffic for the railways without the high capital and maintenance costs of branch railways or permanent roads, that all the territories have a great interest in it and might justifiably take a share in the work of experiment and research. In that case it should be handled as a joint problem. As a Sub-Committee of the Committee of Civil Research has recently been appointed to deal with this problem, proposals for further action may be left to depend on its recommendations.

## Aviation.

Great possibilities for the future of communications as a help towards administrative union lie in the development of air routes. A service of communications by air cannot be organized save by the common effort, administrative and financial, of all three territories.

## Posts and Telegraphs.

Posts and telegraphs are a service of communications as to which the common interests of the territories are analogous to those already considered. The advantage of a common control, and of a central authority to exercise that control, stands on the same footing as in the matter, for instance, of railways. In fact the system of postal and telegraphic communications ought in its framework to correspond fairly closely to that of transport communications, for the latter affect the main lines for the circulation of trade and general movement throughout the territories much more than the Colonial boundaries which have been imposed quite arbitrarily on the whole area.

Kenya and Uganda have already unified their services. But, as in the matter of railways and customs, the unified service suffers from the inherent weakness that the head of it is responsible to two masters. In the event of fundamental difference between the two, there is no local authority to compose that difference. It is to be presumed that if the differences became continuous and acute the Secretary of State would in the last resort himself intervene, if that were necessary, to save the service from disintegration, but it would undoubtedly be better if there were some authority on the spot with power to compose differences and prevent their becoming acute.

At the same time, it is on general grounds desirable that Tanganyika should gradually become more closely associated with the two northern territories, and if the main railway and road systems are linked up, with a consequent improvement in the free flow of inter-colonial trade, the need for a common postal and telegraphic system with uniform rates, and the possibility of introducing it, will become all the greater. Though such a result may not immediately be attainable, it is desirable to open the way of approach to it, and for this and other general reasons it would be advantageous if the control of new construction, particularly of through lines, of methods, standards, and working conditions, could be placed in the hands of a co-ordinating central authority with power to design policy. Until general communications are improved, a wide measure of decentralization for the actual management as between Kenya-Uganda and Tanganyika will have to be maintained and a complete unification of the management and personnel of the two services seems hardly possible at present. But when such unification does become possible it will have the advantages of offering greater facilities for advancement in a larger service, of reducing headquarter charges as a whole, and of providing an increased flexibility of staffing.

Another similar interest common to the territories of much importance for the future is that of wireless telegraphy and telephony, including broadcasting. The air knows no frontiers, and

this service, of such special moment to territories in which other means of communication are few, ought not to be allowed to be delayed or made costly by lack of co-operation.

## Customs.

It is on general grounds desirable in the interests of the various territories that the area open for the free flow of internal trade in Eastern Africa should be as large as possible and should not be interrupted by artificial barriers. The strength of the common interests of the Eastern African territories in this matter has already made itself apparent in a very large measure of unification in their customs systems actually introduced. Kenya, Uganda, Tanganyika, and Zanzibar have customs ordinances and regulations that are practically identical. Kenya, Uganda, and Tanganyika have substantially the same tariffs. Kenya and Uganda have in addition a unified customs service. It is desirable not only to maintain the measure of unification already achieved, but to increase it, as soon as general conditions (improvement of communications, etc.) make this possible, by the inclusion of Tanganyika as a full member of the common system with a unified customs service. This should result in further economies by the elimination of duplication in senior and headquarter staff, and the realisation of those other advantages of a unified service which have been enumerated in connection with posts and telegraphs.

The existence of a Central Authority on the spot would make it easier to maintain the present Customs Agreement between Kenya, Uganda, and Tanganyika. A system based upon nothing more solid or permanent than voluntary agreement between the three Governments is hardly likely to survive any considerable conflict of local interests. Already there are signs of strain. There is a body of opinion in Uganda and Tanganyika that objects to the high tariffs on such local produce as wheat, dairy products, and timber on the ground that they are imposed in the interests of Kenya producers. A slight divergence from a uniform tariff has, in fact, already shown itself, as Tanganyika has introduced a rate different from that of Uganda and Kenya on imported butter and cheese.

Moreover, the existing unified customs service of Uganda and Kenya shares the weakness already noticed in connection with their other common organizations. Its chief is responsible to two Governments, and in case of conflict between the two, there is no local machinery to resolve a deadlock and the system may break down.

We do not think that the time has yet arrived for the transfer from the local legislatures to a Central Authority of the primary powers of legislation on tariffs. This may, as indicated in our

recommendations, be desirable at a later stage if some form of closer union with a central legislature is set up. On the other hand, a central executive authority on the spot, such as we recommend as a first step, ought to be able to intervene effectively to compose differences, and will be able to exercise, in the last resort, the overriding powers which the Secretary of State already exercises. Such an arrangement should ensure the maximum of uniformity without sacrificing that elasticity which ought to be retained until conditions in all the three territories are more stabilised and developed than at present. For the Central Authority will be able to judge when special circumstances justify a divergence of tariff on particular commodities for one of the territories. It is in fact conceivable that divergence might in special cases have to be considered as is shown in the following paragraph.

Under the terms of the Mandate, Tanganyika cannot give a preference to British goods. Under the Treaty of St. Germain en Laye and its predecessors, Kenya and Uganda cannot do so either. At present, therefore, all three stand on the same footing in the matter. Should Kenya and Uganda ever be released from the obligations of the Treaty of St. Germain en Laye, and desire to give a preference to British goods, then, if the restriction on Tanganyika were incapable of adjustment, it would be necessary to consider introducing a difference in tariffs. A Central Authority could decide to do this without disturbing such general measure of unification as had been achieved.

**Defence.**

So far as Kenya, Uganda, and Tanganyika are concerned, a Central Authority in Eastern Africa would be able to facilitate the work of the Secretary of State's military advisers in England by co-ordinating the intelligence service and the preparation of defence schemes of the various territories in the first instance. He should also be able, by means of special enquiries and conferences with the Governments concerned, to arrive at equitable decisions on questions connected with the disposition of troops (including the important question of reserves) and the allocation of expenditure. As a result of this more effective co-ordination, combined with the improvement and spread of civilisation throughout all the territories, it may be possible within a reasonable period to make some economy in the combined strength of the local garrisons.

In the first stage we do not recommend any centralization of military control or the creation of a central reserve; still less any centralization of the administrative work of the various forces. The Central Authority, who would exercise control to the same extent as the Secretary of State does at present, would in the first instance merely fulfil the co-ordinating functions outlined above. The question of unification of military control when

communications have been extended and improved, and the possibility of co-ordinating the local reserves with a view to accelerating the reinforcement of threatened points anywhere within the area, could be considered by the Central Authority and his advisers, in consultation with the Secretary of State's military advisers in England, at a later stage. In this connexion we have however a clearly formed opinion that for the sake of efficiency and economy in East African Defence Forces it is essential that at the very earliest opportunity unity of command should be established under the Central Authority. Without that the essentials of a central reserve and a co-ordinated plan of distribution cannot be secured.

In the meanwhile the Inspector-General of the King's African Rifles should, as at present, spend part of each year in England, in order to afford assistance to the Secretary of State and to keep in touch with the latest developments in military organization and training.

The proposals formulated above do not involve any alteration in existing arrangements for the administration of the King's African Rifles in Somaliland and Nyasaland. These forces should, as at present, be visited annually by the Inspector-General, who would send his reports on them direct to the Secretary of State. Co-ordination in military matters between Somaliland and Nyasaland on the one hand, and Kenya, Uganda, and Tanganyika on the other, should be effected by communication between the Colonial Office and the Central Authority in Eastern Africa.

**Research.**

The co-ordination of scientific research into all matters affecting the economic development and administration of the territories of the British Empire is at present under the consideration of the Imperial authorities, and far-reaching schemes are being worked out for the organization of a common effort. While these schemes have not yet been fully formulated, their general intention is well known and they must obviously have an important bearing on the question, which has been referred to us, of co-ordinating research work in the Eastern and Central African territories.

The larger schemes which are now under consideration are based on the idea that research work for the Empire ought to be organized as a whole, and that a chain of interconnected research stations should be established. The Civil Research Committee is already working in the same direction and has on several occasions proved to be a valuable instrument for planning the joint handling of scientific problems common to various territories of the British Empire. We must therefore regard the central direction of scientific work for the Empire as an accepted policy; and the matter for our consideration reduces itself to the question whether as a part of the wider organization for the Empire the Eastern and

Central African territories should be considered together as a single homogeneous group.

The general tenor of our answer to this question must be decisively in the affirmative. While wide variation in conditions of soil and climate, or of race and culture, exist over Eastern and Central Africa, the chief problems are common to most of the territories and the variety in conditions over the whole area is in many cases not much greater than in each individual territory.

In the matters of native welfare, of medicine and public health, of agriculture, of veterinary science and the prevention of animal disease, the chief problems on which research should be brought to bear are common to the territories. In each territory large numbers of the population are afflicted by syphilis, yaws, and ankylostomiasis. Each has to fight the tsetse fly and the mosquito and the diseases which they bring. Each is concerned in similar problems characteristic of tropical agriculture, and in particular the breeding of plant strains resistant to tropical pests. Dispersion of effort in dealing with these problems is likely to produce waste in various forms, the duplication of staff and plant, the overlapping of inquiries, and the lack of information in one place about what is being done in another. The necessity for central institutions of research has already been recognised locally by the tentative centralisation of research into human trypanosomiasis at Entebbe, of agricultural research at Amani, and by the recommendation of the Governors' Conference that veterinary research should be centralised at Kabete. But, except possibly in the case of Amani, the measures which have actually been taken have not resulted in any institution being started with an assured financial position, or with a clearly defined function in relation to all the territories, while a large part of the field remains uncovered. For example, no step has been taken towards a central station for general medical work, while Amani itself cannot cope with all the problems of essentially tropical agriculture.

It is not within our competence to make proposals as to the exact plan of any future organization. The subject is highly technical and we have not had the time to make exhaustive inquiries in any field, while the full details of the Imperial scheme now under consideration are not yet available, and these must govern any programme for Eastern and Central Africa. Subject to the above remarks, we venture to put forward the following suggestions.

It appears to us that the chief need at the present moment is to ensure that the general force of enthusiasm for scientific research which has recently been created should be directed into those channels where it is of most direct practical value. Financial limitations, and perhaps even more, the shortage of first-class technical officers, must for a long time act as practical restrictions on the scope of work. It is, therefore, most important that

the limited resources available should be used to the best advantage, being concentrated on the most urgent problems and not dissipated over too wide a field. We think that in connection with the Eastern and Central African territories the first necessity is an objective review of conditions to be carried out for the purpose of establishing :—

*First*, the exact scope of the work which is already being undertaken.

*Secondly*, the main purposes or problems to which, owing to their economic or administrative importance, research work should be directed.

*Thirdly*, to what extent these purposes or problems are of purely local interest and therefore best dealt with by local organizations, and what are of more than local interest and therefore properly demanding a joint organization.

*Fourthly*, the order of priority for such purposes or problems.

*Fifthly*, a practical programme settled according to the financial resources which are available, and dealing with the method of organization for the work (e.g., with such questions as the extent to which Medical and Veterinary research should be co-ordinated or combined).

This review ought to be carried out by a small committee—say three or four—of the best experts available, co-operating with the appropriate local officials, e.g., in the case of agriculture, the Director of Amani and the local Directors of Agriculture. On the basis of this report it would be possible to design a practical programme of work, and to settle at what places the work on problems of joint interest should be carried out. When this programme has been settled, arrangements should be made for periodical, preferably annual, meetings at which the work of the past year could be reviewed and the programme for the coming year considered.

In any case it is clear that the Eastern and Central African territories could more advantageously be considered as a group in relation to an Imperial research organization than as single units, and that in order to achieve this the existence of a central co-ordinating authority for Eastern and Central Africa would be of definite value.

It must further be remembered that the problems of research to a great extent go hand in hand with problems of administration. This is especially so in the matter of the prevention of human and animal disease. Methods of quarantine, for instance, and of inoculation, to be efficient, must be applied over wide areas that transcend colonial boundaries, as, for example, areas linked by such a channel of internal communication as Lake Victoria. There is a definite need for better co-ordination of method in this matter,

and this affords an additional reason for establishing a Central Authority.

Before leaving this subject, we must point out that, while a common effort for undertaking what may be described as long-range research work is necessary, nevertheless each territory must retain adequate scientific institutions of its own to undertake the day-to-day scientific work which is required for the local tasks of its medical, veterinary, agricultural, and other departments. This sort of work ought not to be over-centralised.

### Other Opportunities of Administrative Co-operation.

Apart from the services of defence, communications, customs, and research to which attention was specially directed in our terms of reference, there are other matters in which more effective co-operation between the Eastern and Central African territories is desirable, and might be furthered by the co-ordinating influence of a Central Authority. It will be seen from the account given in the following chapter of the functions of the Central Authority that it is intended that its main work will be the supervision of the broad lines of policy and that it will not intervene in, or attempt to control, the ordinary administration of the separate territories. Hence, in the range of subjects now to be mentioned, co-ordination of policy and effort will mainly depend on co-operation between separate Governments or departments of Government. But the existence of a Central Authority could facilitate such co-operation. As things are at present conferences in regard to technical questions depend to a large extent on the chance of initiative being taken by a department in one of the territories and of the proposal commending itself to the corresponding departments in the other territories. There is no systematic plan. It is not the special responsibility of anyone to follow up the conclusions reached at a conference, and, if a hitch arises in giving effect to them in the case of a particular Government, to inquire into the reasons of that hitch and the best means of overcoming it. These services might be rendered by the secretariat of the Central Authority in such a way as to bring about in a few years by the voluntary action of the different Governments a much closer co-ordination of policy than at present exists.

Among the subjects, other than those which have already been discussed in this chapter, in regard to which conference and co-ordination of policy would be valuable are education, the agricultural development of the reserves, administrative action for the control and prevention of plant, animal, and human diseases, uniformity in legislation, including in particular such matters as patents, trade-marks, and copyrights, and inquiry whether any changes are required in the judicial organization in the different

territories from the point of view of native and intermediate Courts and their relations with the High Court.

The establishment of a Central Authority would also make it easier to bring about the adjustment of boundaries with a view to administrative efficiency and convenience. The existing boundaries between the different territories are to a large extent the result of historical accident, and in some cases divide the same tribe into two portions falling under two different administrations. The re-arrangement of boundaries, where necessary for the purpose of increasing the ease and efficiency of administration, would be greatly facilitated if the territories were under one Central Co-ordinating Authority.

Another matter of joint interest to the Eastern African territories is that of currency. At present the control is unified in the hands of the East African Currency Board. The Board sits in London and has Advisory Councils in Kenya, Uganda, and Tanganyika. This system appears to be working satisfactorily and longer experience with a similar system for the West African territories gives ground for hope that it will continue to do so. The day is probably far distant when either the need or the practical possibility will arise for transferring the control of currency with the co-related control of credit to Eastern Africa, but central local discussion for the three territories of matters arising in connection with these questions will always be of value.

### Eastern African Services.

One of the most powerful influences for promoting efficiency in the general work of the government is a strong local patriotism and esprit de corps among the personnel of the various government services. If local units are too small, there is some risk that the natural tendencies to such feelings may develop into narrow rivalries or inter-territorial jealousy. The units of government in Eastern and Central Africa are, as regards the government services, small, and the spirit which we have in mind would be likely to flourish better if a feeling of unity could be created throughout the administrative and technical services there.

Measures of unification have indeed already been introduced in certain services. For example, the Medical Services of the East African Dependencies, viz., Kenya, Uganda, Tanganyika, Nyasaland, Zanzibar, and Somaliland, form one service under the name of "the East African Medical Service." All the officers of this service are on one list for employment and promotion and are liable to be posted to any Dependency in the group, or to be transferred from one to the other with or without promotion, as the exigencies of the Service may require.

Nevertheless, even where such a measure has been introduced, it is difficult to promote a real sense of unity unless it is part of

a general sense pervading the whole of the government services, and we consider that the existence of a Central Authority charged with the co-ordination of policy and administration in Eastern Africa might have a powerful effect in this direction.

We do not suggest that any immediate steps should be taken to create other combined services on the lines of the East African Medical Service, nor do we suggest that the Central Authority should exercise any direct executive control over individual officers, who would continue, as at present, to be subject to the control of the Governor of their particular Dependency for disciplinary and other purposes, subject to the ultimate authority of the Secretary of State as laid down in the Colonial Regulations.

It is of particular importance that the personnel of the secretariat and of the administrative staff should be of the highest quality obtainable. If it is to be maintained that the executive government in the Eastern and Central African territories must remain under official direction and that there can be no question of advance towards a stage of an executive responsible to a representative Legislative Assembly, the unofficial community is at least entitled to demand that the civil services shall be as efficient as possible.

Steps have recently been taken to attract the best available men to the administrative services in Eastern and Central Africa by improving the rates of pay and by establishing at Oxford and Cambridge a regular course of three terms for the preliminary training of selected candidates. We feel sure that these changes will have a most beneficial effect, and indeed we understand that this is already being felt.

But in order to maintain the highest possible standard in the Service it is not merely necessary to attract the best class of entrants, but also, and this is even more important, to maintain their keenness and interest in their work throughout their whole career. For this purpose there must be adequate chances of promotion. If the highest possible rung of the ladder is reached too soon, there is a tendency to staleness and lack of interest in the latter part of an official's career. It appears to us that the chances of promotion for the officers of the ordinary administrative service in Eastern and Central Africa are capable of improvement.

We understand that administrative officers are not at present debarred from consideration for promotion to senior secretariat posts, but that such appointments are generally filled by officers with considerable experience of secretariat duties. It appears to be the usual practice to draft men permanently to the secretariat at a comparatively early stage in their service. The men so selected become eligible for promotion to the

highest appointments not only in their own territory but anywhere in the Colonial Service. The administrative officer, on the other hand, has ordinarily little prospect of rising above the post of Provincial Commissioner in his own territory. We understand that it is the accepted practice in India to limit the tenure of appointments in the Secretariat, whether of the Central Government or of the Provincial Governments, to a comparatively short term of years. This has the dual advantage of giving a considerable number of administrative officers experience of the general working of Government which is useful to them in their district work, and of bringing the Secretariat into closer touch with the district administration. The higher appointments are open to all officers alike, and a civil servant in India may become Governor of a province without having served in the Secretariat. We recommend that this system be given a trial in Eastern and Central Africa, both because of its administrative advantages and because it would widen the basis of promotion and thereby add to the general attractions of the Service.

We recognise, of course, that it is desirable that those who are chosen to fill posts such as that of Colonial Secretary should have had an adequate training as " staff officers " in the secretariat. On the other hand, good government in territories such as those of Eastern and Central Africa is mainly dependent on the quality of the administrative officers and their work in close contact with the natives. While it is important that those chosen to fill the highest posts should have had a proper secretariat training, it is equally important that they should thoroughly understand the conditions of the country and the natives, an understanding which can only be gained by years of practical experience in the administrative service, and it is perhaps still more important to prevent what appears to be the present tendency that officers filling the senior posts in the administrative service—the senior Provincial Commissioners—should feel that their careers are closed in the sense that chances of further promotion are for all practical purposes ruled out.

The above remarks have been concerned with the relations between the Secretariat and the administrative service, and have suggested improvement in the prospects of the latter. We suggest also for consideration that it might be possible to improve the prospects of the two branches combined. It has been a common practice hitherto to fill the highest posts in the secretariat with men transferred from other Colonies. It was no doubt difficult in the early days of the administration in Eastern and Central Africa to find men on the spot of sufficient ability and experience for these posts, but this difficulty should by now have disappeared. It must be disheartening to the senior local officials to see men brought in from outside, and the practice tends to remove one of their main incentives to good work. Moreover, local knowledge

on the part of the higher officials is clearly desirable. There is actually a good deal of local dissatisfaction—especially in Kenya—about the manner in which the higher posts have been filled. The alleged shortcomings of the official service were in fact often mentioned to us as a reason for the unofficials' claim for a greater share in the government and a special ground of complaint is that some of the principal official members of the Executive Council have had a comparatively short experience in the country. The settlers in fact claim that they understand local conditions far better than the Government officials.

The direction in which the considerations advanced in the preceding paragraphs lead us, is that it is desirable that there should be a more frequent interchange between officers serving in the secretariat and in the administrative service, and that as far as possible the highest posts in Eastern and Central Africa, that is to say, the posts of Colonial Secretary, etc., should be filled from the ranks of officials in these territories.

In putting forward the above suggestions we have not left out of account the conclusions reached at the recent Governors' Conference at Nairobi, to the effect that, although administrative officers ought to be encouraged to study conditions in adjoining Colonies, " there was no possibility of introducing a system of regular transfer between administrative officers of the different Dependencies, either permanently or on secondment." At the time when this matter was discussed there was no question of instituting a Central Authority. We believe that, if Eastern Africa (including possibly Zanzibar, Nyasaland, and Northern Rhodesia) had a self-contained service, some of the objections felt at the Governors' Conference would disappear. Extensive transfers are not, however, necessary for the purposes which we have in mind. Under the arrangements which we contemplate, the junior officers would ordinarily remain in the territory to which they were first posted, and would only be transferred in exceptional circumstances. The senior appointments at headquarters would be open to all officers in the Eastern and Central African territories and transfers would, if necessary, be arranged at this stage by the Central Authority in consultation with the Governors concerned. For some time to come it may occasionally be necessary to post officers from other Colonies to the higher appointments, but this should only be done at the request of the Central Authority, when he is satisfied that there is no local candidate fit for the post.

These arrangements could hardly be worked without the institution of a Central Authority, who would be regarded as the head of the Service, who would arrange transfers where necessary with a view to the promotion of the best men to the higher posts, and who would defend the interests of the Service against pressure to bring in men from outside the territories.

## General Conclusion.

The general conclusion from what has been said above is that the common interests of the Eastern African territories cover a great part of the field of government. Any single common interest, such as customs or railways, considered by itself might not require the establishment of a Central Authority for its control, but if all are considered together the cumulative effect is considerable. The three territories have a substantial political unity, and while it is wise to avoid forcing premature unification in any particular sphere of government, it is important now to create machinery which will provide the possibility for advancing towards unification, step by step, taking each step in due course when the proper time for it has arrived.

## Relation of a Central Authority to existing machinery for co-ordination.

In writing on this subject we have not left out of account all the machinery for co-ordination which already exists and which has recently, in many respects, been improved. We believe, however, that the creation of a Central Authority in Eastern Africa will fit in with the existing machinery and make it more effective.

The principal part of the existing machinery for co-ordination is of course the Colonial Office itself, and we understand that a number of changes are now being introduced in order to enable the Office better to fulfil the functions of a " General Staff " for the non-self-governing dependencies. In addition to the Colonial Office itself, mention must be made of various Advisory Committees, such as the Colonial Advisory Medical and Sanitary Committee, the Colonial Survey Committee, the Advisory Committee on Native Education in the British Tropical African Dependencies, the Colonial Medical Research Committee, and the new organization which is now being devised for dealing generally with agricultural research. Assistance in the work of co-ordination can also be provided by such institutions as the Imperial Bureau of Entomology, the Imperial Bureau of Mycology, and the Bureau of Hygiene and Tropical Diseases. All these institutions, however, from the Colonial Office downwards, tend to lose in effectiveness from having to keep detailed contact with a large number of comparatively small units. The effective power of the central " general staff " with its attendant advisory councils and scientific bureaux might be greatly increased if it were dealing with a smaller number of larger " formations " or co-ordinated groups.

In the chapter dealing with the methods by which the Central Authority will work, we emphasise the importance of his function not merely as a co-ordinating authority on the spot, but as a link with the " general staff " in London. This chapter also

contains suggestions for measures to increase the help that can be given by the " general staff " in the guidance of policy.

The actual recommendations which we are making for a Central Authority for Eastern Africa do not involve the immediate creation of an elaborate central staff to bring together the various territories in a single formation. But our plan is definitely intended to be a step in this direction, and its significance would be increased if it could be regarded as part of a larger plan for the rearrangement of the functions of the Colonial Office and its relations with the non-self-governing dependencies. In fact, as pointed out in our introductory chapter, we regard the questions which we have to consider in Eastern and Central Africa as part of a wider issue, and, though this issue lies outside our terms of reference, it is necessary to mention it in order to make clear the significance of our recommendations.

## CHAPTER VI.

## PART I.

## A CENTRAL AUTHORITY IN EASTERN AFRICA.

### I.—Review of the preceding Chapters.

The principal conclusions to which consideration of conditions in the three territories of Kenya, Uganda, and Tanganyika has led us are :—

*First.*—That there is an urgent need for the co-ordination of policy on " native affairs " and all matters concerning the relations between natives and immigrants.

*Secondly.*—That there is a need for the co-ordination, and, as far as possible, central direction, of certain services of common interest to the three territories such as communications, customs, defence, and research.

*Thirdly.*—That some rearrangement of the constitutional position in Kenya is immediately desirable.

These conclusions all point to the need for the creation of a central organ of government for the three territories. The connection is clear in the case of the first and second requirements, while in regard to the third, our view, as already indicated, and as will be explained more fully later, is that any modification of the existing official majority in the Legislative Council of Kenya must be dependent on the creation of a Central Authority with power to control the main lines of policy and to hold the balance even between conflicting racial interests.

Before entering upon the detailed exposition of our recommendations for this central organ of government it is necessary to guard

against any misconceptions as to its nature and the authority on which it will depend. In making our recommendations we have to take into account both the responsibilities of His Majesty's Government and public opinion in the three territories.

As regards the latter, it is specially emphasised in the White Paper* containing our terms of reference that it would be a fatal error to take any decisive step before it is clear that "it will be received with good will by those whose co-operation is necessary to its success." Our view, formed as a result of our inquiries, is that public opinion† in the territories is not ready for any form of constitutional change which would involve the transfer from the several Governments of substantial legislative powers into the hands of a central legislature representative of all three territories. There appears to be a general feeling in each territory that there are differences between its own policy and that of the other two, while there exists in each a local patriotism which is jealous lest undue influence should be obtained over its destinies by a supposedly stronger neighbour. We believe that these doubts and fears are largely based on misunderstandings; but they are none the less real, and must be taken into account. If the three territories are ever to be prepared to unite their destinies, it must be as the result of experience of harmonious co-operation in the control of interests obviously common.

While we thus interpret local opinion as not yet being ready to submit to any sort of control by a common council representing the three territories, we must emphatically record our view, which has indeed been made clear by the whole argument set out in the preceding chapters, that the time has not yet come for the surrender by His Majesty's Government to any local authority, federal or otherwise, of its responsibilities‡ for ultimate control of the main lines of policy to be followed in the administration of these territories.

Therefore, considerations based both on public opinion in the three territories, and on the responsibilities of His Majesty's Government, point in the same direction, that, if there is to be a co-ordinating control of policy—the necessity for which we again strongly emphasise—it must, in the next stages at least, be based on the existing authority of the Secretary of State, so that any immediate reform must be looked for in the direction of improving the means by which that control is exercised by increasing its

* Cmd. 2904.

† "Public opinion" in Eastern Africa is not easy to assess. The greater part of the local inhabitants are inarticulate. In speaking of public opinion we refer not only to the opinion of the small and vocal section of European settlers, but we also include that of officials, missionaries, traders, and the Indian and African communities. Our views are based both on the formal evidence which we received and also on less formal discussions.

‡ The responsibilities under the Mandate for Tanganyika must receive special consideration, but the White Paper of 1923 (Cmd. 1922) explicitly extended the acknowledgment of similar obligations to Kenya and Uganda.

efficiency and bringing it into closer relation with the local situation. It is necessary to state very clearly that this is the primary significance of our proposals for the creation of a Central Authority, because the opinion was expressed to us in so many quarters—by the Indian representatives in Kenya, by the Kabaka of Buganda, and by other native authorities—that they had complete confidence in the authority of His Majesty's Government as exercised through the Secretary of State, and did not wish to see any change involving the relinquishment of the control of their destinies into any other hands.

Our actual proposals very definitely do not involve any such change. Nevertheless we do not regard this as the final end, and we envisage a process by which the association of representatives of the local communities with the Central Authority will grow steadily closer in the course of time. But any transfer of powers from the local Governments, or devolution of authority by the Imperial Government to a central representative council, must be made dependent on the growth of confidence based on practical experience, and must neither exceed what united public opinion is prepared to accept nor be such as to jeopardise the discharge by the Imperial Government of its responsibilities.

Guided by the appreciation of the situation thus stated, we recommend the immediate beginning of a process which can only be completed gradually and by short steps.

It might perhaps be said that the purposes which we have described as being immediately urgent could be achieved by the authority of the Secretary of State, supplemented by regular meetings, to be carried out according to his directions, of the Governors' Conference, and of inter-territorial conferences between heads of departments. But we do not believe that any such arrangement would be sufficient. We have given our reasons elsewhere for thinking that control from London in its present form is unsatisfactory, while in view of what has actually taken place it is hardly possible to look to the mere continuation of the Governors' Conference as an effective means for ensuring the execution of a common policy. We believe indeed that when this was recommended by the Parliamentary Commission it was the right course as the next step, and the discussion of other measures at the present time has perhaps tended to divert attention from the really valuable work which has been achieved by this Conference in helping to create a wider outlook, and to prepare the way for the formulation of a common policy. Nevertheless, the only powers of the Conference are to advise the Secretary of State and it must always be a great source of weakness that there is no executive authority on the spot who could give effect to an agreed policy, or could enforce a common policy in default of complete agreement.

The fact that our recommendations contemplate a gradual evolution step by step creates a practical difficulty in stating them

clearly. The field of government with which we have to deal contains many and diverse component parts, and the rate of evolution of each part is capable of considerable variation. It would be unwise to make any attempt now to lay down a rigidly synchronised plan for development in the political and administrative spheres and this should be left largely to the discretion of those to whom the actual handling of the situation is entrusted. But in order to explain the general nature of our recommendations we are forced to depict the whole field of government at various stages, and we must therefore make it clear that we do not postulate rigid adherence to the exact arrangement in each stage.

## II.—Preliminary Steps.

We recommend that the first step should be of a preliminary or preparatory nature, taking the form of the appointment of a High Commissioner for the three territories whose functions would be :—

*First.*—To inaugurate inquiries and joint discussions on certain of the matters which we have discussed in Chapter III with a view to making a clear enunciation of principles to be observed, settling a practical programme in each territory, and eliminating certain ambiguities and mutual inconsistencies between the three which now exist.

*Secondly.*—To prepare the way for unified control of certain services of common interest, and to settle on a fair basis any immediate causes of dispute or difference.

*Thirdly.*—To discuss locally and work out the arrangements for introducing the modifications which we propose (Chapter VIII) in the Kenya constitution.

As regards the first of these functions, we have set out in an Annexure* to this Chapter the details and the purposes of the inquiries which should be initiated in this preliminary stage. We have already, in Chapter III, explained our idea of the principles which should govern native policy, especially in a " mixed state " such as Kenya; but it will need an authority on the spot armed with wide powers to translate these ideas into a practical programme, to fill in details where we have only been able to sketch outlines, and to present a clear picture to all concerned. The process of evolving and directing native policy will, of course, be a continuous one, and will extend beyond the preparatory stage which we are now discussing, but there are certain points in regard to which there is ambiguity or conflict of ideas at present, and it is important that these should be cleared up and that the hearty co-operation of both officials and non-officials should be secured for

* (See page 164 )

what is to be the future programme before any irrevocable constitutional changes are made.

As regards the second of the functions referred to above, the various matters for regulation and inquiry will be those which have already been described in Chapter V dealing with services of common interest. Generally speaking, the initial steps to be taken will be the preliminaries to the permanent arrangements for dealing with services of common interest which we describe more fully in subsequent sections.

As regards the third of the functions proposed above, the matters for discussion will appear clearly from the full description given in Chapter VIII.

We believe that the satisfactory preparation for the changes which we recommend, particularly as regards the programme for native policy, can best be effected by the personal efforts of a High Commissioner on the spot, furnished with adequate executive powers. We do not consider that the requirements of the situation would be met by the appointment of an envoy charged merely to carry out investigations and to advise the Secretary of State. The possibility will nevertheless remain open of reverting to the original position, if as a result of inquiries and discussion it is decided not to proceed with the further constitutional changes which we recommend.

The position which we propose for this High Commissioner might be described almost in the exact words applied to the appointment of Lord Durham in 1839, as being " one for the adjustment of certain important questions depending in " the territories of Kenya, Uganda, and Tanganyika, " respecting the form and future government " of such territories. The High Commissioner should have wide executive powers and be given as free a hand as possible to pass orders on the spot. This would be necessary in order that he should have the authority to carry out the proposed inquiries and to prevent any action being taken which might be inconsistent with the programme to be worked out. His work would be mainly personal, and we do not think it necessary to provide him with his own staff of expert advisers. He would, of course, require experts to carry out the various inquiries that we have suggested, but special arrangements must be made for these and as far as possible the staff of the various territories should be utilised, the duties of such officers being limited to the particular inquiries. The general business of administration would continue to be conducted through the ordinary channels of the Governments of the territories, and the High Commissioner would not interfere in matters of routine. For the purposes referred to above he would be entitled to require the Governors to refer to him before issuing directions on important matters of policy—such matters to be specified according to his discretion—and to submit through him any communications which they might wish to make

on such matters to the Secretary of State. As regards other matters on which the High Commissioner does not wish to be consulted in advance, he should arrange with the Governors as to the matters on which he wishes to see copies of correspondence. Apart from the special inquiries referred to above, the High Commissioner could obtain any further information required from the Governors and their principal officers and from the leaders of the unofficial communities. We contemplate that he would be freely accessible to all of these and we consider that he would get a better first-hand knowledge of local conditions by personal discussion of this kind than by relying on expert advisers attached to his own office. We understand that these were the methods followed with success by Lord Milner in the early days in South Africa, and that his staff was a personal staff only, consisting of a few specially selected private secretaries. In view of the volume of work in the present case it will be necessary for the High Commissioner to have some permanent secretariat, and we recommend as a convenient arrangement that the secretariat already organized for the Governors' Conference should be attached to him, but that, apart from this, his staff should be confined to private secretaries. He should, of course, be given a free hand in their selection.

We contemplate that for the purpose of working out all the necessary details of future arrangements the High Commissioner should rely largely on consultation with the three Governors in conference. This would in fact amount to a continuation of the existing Governors' Conference,* subject to the important addition of an independent chairman endowed with full powers to make a decision and issue orders for its execution. We also contemplate that the High Commissioner would convene fuller conferences to be attended also by unofficial representatives of the three territories with a view to getting a full discussion of important questions and an opportunity to compare opinion in the three territories. Elasticity is desirable in the early stages and it will be for the High Commissioner to decide what method he will employ for discussing any particular matters.

Lastly, inter-colonial conferences between technical officers should be convened for special purposes, e.g., for making recommendations as to educational policy, judicial procedure, etc., while for dealing with matters affecting the services of common interest special conferences could be convened. For example, in connection with railway arrangements joint meetings of the existing inter-colonial Railway Council with representatives from Tanganyika, will be useful. The special conference convened in the preliminary stage would develop into the standing committees for special subjects which are described later. (Pages 151-153.)

* The participation of Nyasaland, Northern Rhodesia, and Zanzibar is separately discussed, *vide* pages 232 and 286.

### Headquarters of High Commissioner.

During the preliminary period a great part of the High Commissioner's time will be spent on travelling in Africa and on visits to England.* We recommend that during this period the existing Government House at Mombasa be put at his disposal. If the existing accommodation is not adequate, additional buildings, possibly of a temporary nature, should be provided. Whatever the ultimate decision may be as to the headquarters there should be no difficulty in finding useful employment for any buildings which are erected in this way in a centre like Mombasa. The location of permanent headquarters for the Central Authority, in case our further recommendations are accepted, will be an important matter for discussion during this stage.

### End of Preliminary Period.

The end of the preliminary period, according to the programme which we are describing, will be marked by the creation of a permanent post of chief executive authority for Eastern Africa and by the introduction of the proposed changes in the Kenya Legislature. These two steps need not necessarily coincide and, although for the purpose of explaining our plan we have drawn a clear distinction between the preliminary period and the inauguration of the first stage, it is not necessary that this distinction shall be rigidly adhered to. The essential purpose which we have in mind is to devise a first step which can be taken without delay, which will be something more than the mere despatch of a negotiator on behalf of the Secretary of State, but which will yet be a provisional step in the sense that nothing irrevocable is to be done before there has been a full chance of ascertaining local opinion, both official and unofficial, on our proposals.

### Expenses of High Commissioner.

In accordance with the intention just expressed, and in order that the first step, as far as concerns the appointment of the High Commissioner, may be taken without involving any substantial commitments for the local Governments, we recommend that during the preliminary period the salary of the High Commissioner and of his Secretariat (but not his local travelling expenses or the costs of special inquiries) should be borne by His Majesty's Government. The cost of the Secretariat of the Governor's Conference should be borne as hitherto by the several territories.

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* The arrangements to be made when the High Commissioner leaves his territory to come to England will be similar to those proposed later in the passage dealing with the Governor-General. (*See* below, page 162.)

## III.—A Governor-General* for Eastern Africa.

If after the preliminary steps which we have sketched in the preceding paragraphs it is decided to proceed on the lines of our proposals, we recommend that there should be created the permanent post of Governor-General for Eastern Africa in place of the provisional post of High Commissioner. This will mark the inauguration of the first stage of our general plan.

It is now necessary to explain what we intend to be the duties and powers of the Governor-General and how he is to exercise such powers in relation to the various local Governments and to the Secretary of State. It will provide a key to our proposals in case, owing to any inadvertent omissions or ambiguities, these are not on all points clear, if we state at the outset that what we contemplate is that this official should exercise on the spot, so far as these can be delegated to him, the functions of supervision and control now exercised through the Secretary of State. No greater powers of control will therefore be created than could be exercised at present. On the other hand, it is intended that the exercise of these powers shall in practice be limited in the manner hereafter to be explained so as to leave to the local Legislatures the maximum amount of freedom consistent with the responsibilities of His Majesty's Government.

### General Scope of Duties of the Governor-General.

We must repeat that the main objects of the creation of this post are :—

To secure Imperial interests and the proper discharge of the responsibilities of His Majesty's Government.

To hold the scales of justice even between the various racial communities.

To co-ordinate services of common interest.

### *Imperial interests and policy affecting the relations between the various racial communities.*

It is not necessary for our present purpose to set out an exhaustive list of subjects which are to be included under the heading of "Imperial interests." These interests may be defined by arrangement, in so far as they are not already safeguarded by the clauses in the Royal Instructions† of the three Governors, restricting their powers of assent to legislation.

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* We have adopted the title of "Governor-General" in order to make a distinction between the post when made permanent and the provisional appointment of the High Commissioner. We do not, however, attach any special importance to this title, and that of "High Commissioner" might equally well be retained, if thought preferable.

† The relevant clause in the Royal Instructions of the Governor of Kenya is quoted in Chapter X, pages 213–214.

For the purposes which we have to consider the principal responsibility of His Majesty's Government is that of trusteeship for the natives, so that, in regard to the first two of the three objects stated above, the most important duty of the Governor-General will be to direct the lines of native policy and to supervise its working. Although the main principles of this policy will have been settled before his appointment, partly by the declarations of His Majesty's Government to which we have already referred, and partly as a result of the inquiries and discussions which we recommend, they could not be applied with the precision of a legal code. There will always be a need for personal direction in the application of such principles to particular cases. Moreover, some of the inquiries that we have proposed will probably need to be completed, and others to be initiated. In fact, native policy will always be a living problem producing new ramifications as the natives advance in civilization. The task of direction will include both the function of supervising legislative or administrative action and the constructive task of initiating policy. For the latter purpose it will be particularly useful to have a Central Authority on the spot to call together conferences of Governors or of heads of technical departments.

In dealing with the possible divergence between the interests of the various racial communities we have hitherto considered natives on the one side and non-natives on the other. This is the most important racial division, but, as already pointed out, there are further subdivisions on the non-native side. The duty of " holding the scales of justice even between the various racial communities " has reference also to these latter distinctions. The most important case of this kind which we have to consider concerns the Indian community in Kenya, and the Governor-General will be specially concerned with protecting their interests. This will be dealt with more fully in connection with the Kenya constitution.

*Co-ordination of services of common interest.**

We have already discussed in detail (Chapter V) the advantages to be gained by the co-ordination of services such as communications, customs, defence, and research. We have indicated that, in order to develop advantages of this kind to the full, complete unification of certain services should be regarded as the ultimate objective. But this would involve the creation of a Central Authority with full legislative as well as executive powers, and, although we envisage this as a possible development for the future,

* In our proposals for the preliminary steps it was included as one of the tasks for the High Commissioner that he should initiate preparations for the unification of certain services, but we did not give a detailed explanation of what would be required. It is possible that, in regard to several of the measures which we now recommend to be undertaken by the Governor-General, preparatory work will already have been inaugurated in the preliminary period.

we do not recommend anything more in the first stage than that the Governor-General should be empowered to exercise on the spot such control as could now be effected through the Secretary of State. It is necessary now to explain the steps to be taken during the first stage in relation to the various services.

*Communications.*

(a) *Railways, Ports, and Inland Water Transport.*—We propose, in the first place, that the composition of the existing inter-colonial Railway Advisory Council* for Kenya and Uganda shall be changed by the inclusion of four representatives from Tanganyika, and that the Governor-General shall become the High Commissioner for Transport for the three territories. This change will be advantageous, for, as we have already pointed out, the position of the Governor of Kenya in the existing arrangement is an invidious one for dealing with disputes between the interests of Kenya and Uganda. While we propose an equal representation for Tanganyika on the new Council, it is probable that for some time to come a large part of the business which comes before the Council will concern Kenya and Uganda only, and it is possible that it will be found convenient to arrange certain meetings at which the presence of the Tanganyika representatives may not be necessary. On the other hand, a special sphere of closely-connected interests will be created if the management of the Tanga-Moshi-Arusha section of the Tanganyika railway system is placed, as we have recommended, under the management of the Kenya-Uganda Railway Administration. Moreover, on questions of rates and many other matters of general interest it is desirable that the views of the Tanganyika representatives should be heard, although we fully recognise, as we have already pointed out, that the conditions which have to be taken into account by the two systems differ in many important respects, and we by no means postulate a complete uniformity of rates. In this connection it is important to emphasise that the position of the Council will be advisory only, the ultimate decision resting with the Governor-General. There can, therefore, be no question of the eight members representing Kenya and Uganda carrying a measure by the mere majority of their votes against the four members representing Tanganyika.

As High Commissioner for Transport for Kenya, Uganda, and Tanganyika, with an inter-colonial Advisory Council or Board, the Governor-General will be able to deal with many of the matters which require immediate action. The nature of the work which he will undertake in this capacity has already been indicated in the list of practical requirements in Chapter V (pages 118-119). Apart from the tasks of immediate importance there referred to, it is important to inaugurate an inquiry into the financial position and

* The existing Port Advisory Board should be similarly extended.

prospects of the Kenya-Uganda Railway on the one hand and the Tanganyika Railways on the other with a view to the formulation of a suitable basis for eventual joint working when the time is ripe for such a change.

It must be frankly recognised that the decisions to be taken on the matters referred to above are likely to raise difficult issues, and the Governor-General in exercising his functions will need advice from experts (both on financial and technical issues) which he may not be able to obtain satisfactorily from the local staff, especially when conflicting views are put forward by the representatives of the various territories. Moreover, as far as technical advice is concerned the Governor-General will only have at his disposal that of the General Managers of the two systems, and this will hardly satisfy his need, not only because they may offer conflicting advice, but because as a co-ordinator and director of policy the Governor-General ought to be in a position to supervise the work of the General Managers in their positions as chief executive officers.

Some means, therefore, must be found for reinforcing the position of the Governor-General in this respect. Our proposals for this purpose are part of the general plan which we recommend for the exercise of Imperial direction of policy and can be better explained in the second part of this Chapter where we deal with this matter.

(b) *Other Communications.*—As regards other communications, i.e., inter-colonial roads, posts and telegraphs, and aerial communications, it will be for the Governor-General to convene meetings of representatives of the three territories (official and unofficial) as he thinks necessary. Such meetings may develop into the setting up of regular inter-colonial Advisory Councils on these questions.

*Customs.*—Having regard to the views which we have explained in Chapter V, we recommend the creation of a representative inter-colonial Customs Advisory Council. This would be constituted on similar lines to the Railway Council and would function in the same way.

*Defence.*—As stated above, Chapter V (page 132), it is a matter for inquiry whether a more efficient and economical distribution of the King's African Rifles can be made when the requirements of all the territories are considered as a whole. An inquiry for this purpose and similar questions relating to defence matters should be dealt with by the Governor-General, advised by the Governors of the territories and by the Inspector-General, King's African Rifles.

*Research.*—This is a matter of so technical a nature as to require special arrangements. We have reviewed the field in Chapter V (pages 133-135) and have recommended a special inquiry by experts in order to settle the objectives for this work. The further steps to be taken must depend on the results of this inquiry, and

must be co-ordinated with the general plan now being considered for an Imperial research organization. The Governor-General in the preliminary stages would be mainly concerned with ensuring the assistance and co-operation of the three territories in pursuing the necessary inquiries.

*Other matters.*—We have already indicated certain other matters in regard to which the Governor-General can exercise a central direction to the common advantage of the three territories. It will be for him to work out the methods by which he will do this.

## Powers of the Governor-General.

The main functions of the Governor-General are to formulate in consultation with the local Governments and local unofficial opinion the broad lines of policy, to see that this policy is consistently carried out, and to act as the final deciding authority in questions involving racial conflict. It is therefore necessary that he should possess full executive powers and control over legislation. It is intended, however, that the exercise of these powers should be subject to the limitations hereafter explained, and that it should be the declared policy of the Governor-General to interfere with the legislative and executive freedom of the Governments of the separate territories only when this is necessary for the carrying out of the purposes for which he is responsible. His function would be limited to supervising general lines of policy, and a very wide measure of discretion and responsibility would remain with the local Governments.

### *Relations with Local Executive Authorities.*

It is in accord with the idea explained above that we do not propose any alteration in the title of the local Governors, for it would give a false impression of their functions during the first stage with which we are now dealing if they were to be described as "Lieutenant-Governors". Although we have adopted the title of "Governor-General," we do not think it necessary or desirable that this officer should, in the particular circumstances, be surrounded with the pomp and ceremony which the title might be understood to connote. It is our definite intention that during this stage the posts of Governors in the three territories should still be regarded as being of first-class importance in comparison with other Colonial Governorships. The salaries attached to the posts should remain unaltered and everything should be done to guard against creating the impression that the existence of a Central Authority for Eastern Africa is in any way derogatory to their dignity.

We recognise that the appointment of a Governor-General as a superior executive authority on the spot must have some technical effect on the status of the Governors, particularly in

regard to their position as being His Majesty's representatives. There is nothing analogous to the relations which we are suggesting among the existing appointments under the Colonial Office. Nevertheless, we think it would be possible to devise an arrangement which would leave their status within their own territories for all practical purposes the same as it is at present. There are indeed certain analogies to the position which we have in mind in other parts of the Empire. For example, we understand that in India the Governor of a Province is in effect His Majesty's representative within his province although he is subject to the superior authority of the Governor-General in Council. A still closer practical parallel, though the technical conditions are different, for the relation which we have in mind is that which exists between His Majesty's High Commissioner for Egypt and the Sudan with his headquarters in Cairo, and the Governor-General of the Sudan. We must leave it to the legal experts to devise forms which can most nearly give effect to our intentions. These most definitely are that, for all practical purposes, the three Governors, during this first stage, should continue to be regarded as His Majesty's representatives in their own territories and that when the Governor-General travels in their territories he should take care to allow no contrary impression to be created in the native mind. The conception of a higher authority in the background in the person of the Secretary of State is already quite familiar to the native mind, as we can testify from the evidence which we have received, and as far as the native is concerned, the Governor-General should step into this position and be regarded as a local projection of the personality of the Secretary of State.

In certain respects which have already been described (viz., as High Commissioner for Transport or as presiding over an inter-colonial Customs Council) the Governor-General will have a special position. Apart from this, in regard to the general business of government it follows from the limitation of his function to supervision of main lines of policy that there will be many matters of routine on which the local Governments will correspond with the Secretary of State with which he will not need to concern himself. As suggested in the case of the High Commissioner during the preliminary stage, it will be for him to issue instructions as to the matters on which he wishes to be consulted, and as to the class of correspondence passing between the local Governments and the Secretary of State which he wishes to see. The appropriate regulations must be built up on the basis of practical experience.

*Legislative Powers and Relations with the Local Legislative Authorities.*

We do not propose that during the stage which we are now discussing any subjects should be withdrawn from the purview of the local legislatures and transferred to the new Central

Authority. On the other hand, the present method of control over the exercise of the powers of the legislatures will be changed owing to the institution of a Central Authority on the spot to carry out the supervision and control hitherto exercised through the Secretary of State. We shall discuss the relations between the Secretary of State and the Central Authority more fully in the second part of this Chapter dealing with Imperial direction of policy. In any case it will of course be necessary for ordinances to be forwarded to the Secretary of State for signification of His Majesty's pleasure, but it is understood that in advising His Majesty the Secretary of State will take into consideration the views of the Governor-General. It is not our intention that the latter should be responsible for the critical examination of the form of legislation, for in that case he would require a larger staff than we propose and a legal adviser. He will only be concerned with principles of policy.

As regards his relations with the Legislative Councils, as long as an official majority is retained in these Councils the position will remain exactly as at present, and the necessary control can be exercised by the issue of instructions to the Governor concerned. This covers the position for the present as far as Tanganyika and Uganda are affected. But in the case of Kenya the proposals which we are making (Chapter VIII) are that, subject to certain conditions, changes in the composition of the Legislative Council shall be introduced which will eliminate the official majority. It is an essential part of the principles on which our recommendations are based that any abandonment of official control in the Legislature of a mixed state like Kenya ought only to be permitted if it is accompanied by the establishment of a supervisory authority armed with adequate powers to ensure the execution of the Imperial Government's policy on matters of more than local interest and to act as final arbiter in all matters involving a conflict of interests between racial communities.

For that purpose we recommend that, concurrently with the change in the Legislative Council of Kenya, the Governor-General should be vested with special legislative powers* which would enable him to enact contrary to the vote of the majority of the Council, any legislation which he regards as essential for the discharge of his responsibilities.

* These powers might be expressed in the following form, adapted from the Government of India Act:—

"Where the Legislative Council has refused leave to introduce, or has failed to pass in a form recommended by the Governor-General, any Bill, the Governor-General may certify that the passage of the Bill is essential for the discharge of his responsibilities and thereupon the Bill shall, notwithstanding that the Council has not consented thereto, be deemed to have passed, and shall, on signature by the Governor-General become an Act of the Kenya Legislature in the form of the Bill as originally introduced or proposed to be introduced in the Council or (as the case may be) in the form recommended to the Council by the Governor-General."

As the Annual Estimates and Supplementary Estimates in Kenya must be covered by Appropriation Ordinances, the power of certification proposed above should generally enable the Governor-General to secure the provision of funds for any of the purposes for which he is responsible. But if this should prove not to be so the power of certification should be extended to cover votes as well as enactments of the Council.

We have found it necessary to propose that the legislative powers of the Governor-General should take this wide form because, as we have explained in Chapter IV, it is not feasible to make any sharp division of functions between the Central Authority and the territorial Governments by assigning to each a defined list of subjects falling within its exclusive province. Since an issue affecting the purposes which are the special concern and responsibility of the Governor-General might arise in connection with any subject, it is necessary that his legal powers should extend over the whole field of legislation. At the same time we propose to limit his intervention to occasions on which such action is " essential for the discharge of his responsibilities," and we intend this to be a real and effective limitation. We have already explained the nature of the matters for which the Governor-General will be responsible. Broadly speaking, these will be the maintenance of Imperial policy, the securing of justice between the different racial communities in Eastern Africa, and the co-ordination of services of common interest. So far as it is possible to define these matters this should be done in instructions to be conveyed to the Governor-General by the Secretary of State, but the definition cannot be given legal precision and it must be left to the Governor-General to decide in each particular case whether his responsibilities are affected or not. We recommend, however, that legislation enacted under these special powers of the Governor-General should not, except in case of emergency, come into force until it has been laid before Parliament and has received His Majesty's assent.*

Although we propose that the powers of the Governor-General should extend over the whole field of legislation, we expect that an understanding will grow up and become increasingly definite as to the class of questions in which he will deem it necessary to assert his authority and that all other questions will be recognised as matters for final decision by the legislatures of the several territories. It is of particular importance that this distinction should be understood in the case of Kenya when there is no longer an official majority in the Legislative Council, so as to open the way for the exercise of a real measure of initiative and responsibility by the unofficial communities represented in that Council.

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* *Cf.* the provisions of Sec. 67B (2) of the Government of India Act, which we suggest should, *mutatis mutandis*, be followed.

As this problem is the special concern of Kenya we shall reserve further consideration of the relations between the Governor-General and the local Legislature until we have explained our proposals for the revision of the Kenya constitution.

### Staff of the Governor-General.

During the stage which we are now describing we intend that the operations of the Governor-General should be limited to the exercise of his personal functions as a co-ordinating agent between the local Governments, and a link between them and the Secretary of State. For these duties he would have available the staff of the Governors' Conference Secretariat which we have already recommended should be transferred in the preliminary period to the High Commissioner. This would also be able to provide the secretarial services required in connection with any inter-territorial conferences which might be summoned.

It is our definite purpose to avoid anything which would lead to the duplication of machinery by the superimposition of a new headquarters in Africa for transacting any part of the ordinary business of government. Full use must be made of the existing organizations which are quite capable of performing their tasks. What can be accomplished by the Central Authority is a general widening of outlook by bringing about joint discussions between the officers in the various territories, for it will be of distinct value that practice and experience in one territory shall be compared with that in another and that an independent authority on the spot shall survey all these and be able to give final decisions. But such decisions must be those of the Governor-General himself, and we do not intend to create a greater measure of supervision than he himself can exercise. Anything more than this, at least until the time comes for a further measure of unification resulting in a definite diminution in the legislative powers of the several territorial Governments, would not only involve duplication of work and unnecessary expense, but might also hamper the work of the local Administrations by creating friction and preventing them doing the best work of which they are capable.

We have given this question of the staff for the Central Authority very careful thought, for we have had to consider in particular how the Governor-General will perform what we have stated to be the most important part of his functions, the formulation, direction, and supervision of native policy, and how the institution of a Central Authority will satisfy what we have described as the most urgent need in the present situation, namely, the maintenance of a consistent native policy throughout the British territories in Eastern Africa. It may be argued that the Governor-General himself will be continuously in touch with European opinion

both because of his frequent visits to England, and because in Eastern Africa the non-native communities will have constant access to him and have every opportunity of impressing on him their point of view, whereas his duties will leave him a very limited amount of time for talking with district officers, educational officers, or missionaries, who are the principal sources of information as to native interests and opinion. It may also be said that it is unlikely that the man selected for this post will ever have served as a district officer in Africa, so that he may never have had the opportunity of making himself familiar with native ways of thought. On these grounds it might be argued that the Governor-General ought to have on his staff expert advisers on native affairs.

Our conclusion, however, after very careful consideration, is that it is not desirable to attach to the Central Authority native affairs experts whose opinion might be invoked to override those of the three Governors and their own responsible advisers. It will be the duty of the Governor-General to ensure that the interests of the natives are properly represented to him, and for this he must rely mainly on the three Governors, whose most important duty it will be to advise him properly on this matter. It appears to us dangerous to allow it to be supposed that the close understanding of natives is a business for a special department or for experts, and not part of the ordinary duties of a Governor. It is indeed largely on the strength of this view that we have recommended elsewhere the removal of the somewhat rigid division which has hitherto been made between officers selected for service in the secretariat and officers engaged in ordinary administrative work.

But while for the reasons stated above we do not recommend the appointment of any special expert on Native Affairs to the staff of the Governor-General, there is room for some improvement in the existing practice on the lines of a more scientific study of the problems which arise in connection with native policy. The main channel of contact with the natives must, as already stated, be through the administrative officers of the Government, and it is they who must be regarded as chiefly responsible for studying and gaining the confidence of native opinion. But instruction in scientific method is required for teaching them what to observe, while some organization for collecting and collating the results of their experience and for compiling permanent records may be of great value. It may frequently happen in practice that a particular administrative officer, who has the special qualities which gain the confidence of the natives and who in the course of his tour of duty in a particular district has gained valuable knowledge, may be moved from the district without leaving a record of his unique experience. A proper system of recording and preserving such knowledge is required. These considerations lead us to suggest that it would be of great value if there could be attached to the Central Authority a bureau of records, statistics, and intelligence which

would issue bulletins explaining the sort of information which was required and which would collate and record such information and issue a digested account of it for the use of administrative officers.

This bureau might be evolved from the existing secretariat of the Governors' Conference, which includes a statistician and which we have already suggested should be taken over by the Governor-General. In order to indicate the kind of information which is required and which appears to us at present to be lacking in Eastern Africa, we would refer to the system of Gazetteers prepared and maintained by the Governments in India, and the extremely valuable records as to Indian life and conditions which have from time to time been put together in the census reports in India. It might be a useful measure if an experienced officer could be temporarily borrowed from the Indian Service to give instruction and advice during the inaugural stages, if it is decided to institute the sort of bureau which we recommend. The presence of such an officer would ensure that the bureau was started on the right lines, and his advice and instruction would be of great value to administrative officers, through whom the main work must be done. Once the bureau is started under the proper direction, selected administrative officers should be attached to it from time to time so that they may themselves gain a knowledge of scientific methods.*

Such a bureau could usefully extend its functions in other directions for the intelligent study of statistics on such subjects as trade, economic production, taxation, and similar matters, which would be of great value.

The maintenance of records and the appointment of a Governor-General, combined with the measures which we propose in the second part of this chapter for the establishment of an Advisory Council to the Secretary of State, ought to go far to ensure continuity of native policy. At present, too much depends on the personal outlook and ideas of each Governor, and as Governors do not often hold the same post for more than six years, changes in

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* In this connection it should be noted that, shortly before the appointment of our Commission, proposals were made by the Governor of Kenya for the establishment of a Native Welfare Research Organization and these were considered by a Sub-Committee of the Committee of Civil Research. We understand that this Sub-Committee in its report recognised the need for more scientific study of the sociological aspect of native problems. If any organization is to be set up on the lines which were recommended in this report it should be attached to the Central Authority. But we must again emphasise that in the taking of practical decisions the Governor-General must look to the three Governors to advise him, and that the real channel for the study of native questions must be the normal administrative service of the country. What is required is proper instruction for the administrative officers as to what they should observe, and their encouragement to take a scientific interest in their work, rather than the creation of elaborate machinery for independent inquiry.

policy—perhaps subtle, but nevertheless of far-reaching significance —are always possible.

The consideration of the duties of the Governor-General in relation to native policy has led us into a somewhat lengthy digression from the question of his staff which we are now considering. Our immediate recommendation for special staff in connection with native policy is limited to the creation of what we have described as a central bureau of statistics, records, and intelligence on native affairs, to interpret the information received, and to settle instructions to be issued through the normal channels to administrative officers as to the observations which are required.

Apart from what we have proposed above, we recommend that the staff of the Governor-General should, until a further stage in the unification of the administration of the three territories is reached, be limited to private secretaries, with the necessary subordinate establishment.

### Local Arrangements.

But while the permanent staff of the Governor-General in Africa will be thus limited, it must be recognised that he will be called upon to give difficult decisions and that he is the instrument for giving effect to Imperial policy. It is necessary, therefore, to consider how the ultimate responsibility for working out such a policy is to be discharged, and what measures should be taken to ensure that the decisions command public confidence both in Africa and England. The essential object of our proposals is to bring Imperial direction of policy into closer contact with the local communities and local conditions. The Governor-General is intended to be a link for this purpose. It is therefore necessary that he should be in close touch with both sides. For the purpose of his African contacts it is necessary to consider the establishment of an Advisory Council and other local arrangements, while his contact with the Imperial Government raises questions as to the organization for advising the Secretary of State and for the framing of Imperial policy. We must therefore explain our proposals for these purposes.

*Advisory Council.*—In order that the Governor-General may keep in touch with local opinion, and have a *forum* for the discussion of the conduct of affairs, we recommend that he should appoint an Advisory Council to represent the three territories, and to be called together as required.* The Council should be small because it is important that interruptions in the ordinary administrative work which would be caused by the attendance of officials should be reduced to a minimum.

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* Zanzibar should be represented when necessary.

What we have in mind is a Council composed of the three Governors (attended by any official whose assistance may be required for a particular discussion) and representatives of the unofficial, including the native, communities from each territory; but we would not rigidly define its composition. Elasticity is desirable in the early stages and it will be for the Governor-General to decide whom he wishes to consult and whether he will call together his Advisory Council for any particular discussion or merely consult with the three Governors. We contemplate that he will continue to employ the latter method. Normally, discussion with the Governors alone would be suitable for dealing with very confidential matters or for the consideration of policy as a preliminary to submitting proposals to the Advisory Council. As the Council would be advisory only and there would be no decision according to a majority of votes, the exact number of representatives from each territory is not of primary importance.

*Conferences of Technical Officers.*—The above proposals are not intended to exclude the possibility that inter-territorial conferences between technical officers should be convened for special purposes, e.g., for making recommendations as to educational policy, judicial procedure, etc. Such conferences will provide a valuable instrument for the co-ordination of policy, which should frequently be employed according to the discretion of the Governor-General.

*Special Commissions of Inquiry.*—We have recommended in our Report the undertaking of several important inquiries for the further definition of policy in regard to certain large questions. It is probable that from time to time there will arise other questions of a far-reaching nature for the wise decision of which careful inquiry will be needed. Where commissions of inquiry have to be set up preliminary to the determination of policy, an opportunity is provided for the local communities to make their contribution to the formulation of policy, on the one hand, by serving as members of such commissions, and, on the other hand, by giving evidence before them. In this way the policy and decisions of the Central Authority will be less open to the charge of being arbitrary, since they will have been arrived at after full account has been taken of the point of view and the experience of those who will be affected by them. This is of special importance in connection with the situation in Kenya.

It is important to observe that the contribution of the local communities to the decisions of the Central Authority will in this case be made by a different method than the political method. Those who serve on commissions of inquiry will not be responsible to electoral constituencies. They will have no party loyalties to consider. They will, therefore, be better able to take a detached view of the questions which come before them. Attention was called to this distinction in a recent speech by the Prime Minister

in which he said: "The Briton, owing to his training, his character, his history, has one rare gift . . . that when he finds himself acting in a judicial capacity he can bring an unbiased mind to the discharge of his duties and dissociate himself from all the external paraphernalia of controversy in which we take so much delight on the floor of this chamber."*

While the use of the method of public inquiry can only be occasional, recourse to it when large and difficult questions have to be decided and where racial feeling is in danger of being strongly aroused may be the means of adding greatly to the weight and authority of the decisions of the Central Authority. It would lead to public discussion of the issue and help to ensure that the question is fairly put before the country and stripped of the rhetoric and special pleading which are apt to characterise debates in a political assembly.

### Location of Headquarters.

The choice in this case is a difficult one, and we have suggested that it should be a matter for inquiry and discussion during the preliminary stage when the High Commissioner is investigating other matters. We do not, therefore, feel it necessary or even advisable for us to make specific proposals, but there are certain considerations which must be emphasised.

It appears to us most undesirable that the headquarters of the Central Authority should be in the same place as any of the existing Government headquarters. It should be, as far as possible, equally accessible to all three and not so remote as to be out of touch with the active life of the territories.

### Arrangements during the absence of the Governor-General.

It is an essential part of our proposals that the Governor-General should be a link between the local Governments and His Majesty's Government and we therefore contemplate that he will pay regular annual visits to England. We propose that when he leaves Eastern Africa he shall still retain his position as Governor-General and that no official shall be appointed to act locally in his place. His Secretariat will remain in Eastern Africa and will be able to communicate with him on such subjects as are necessary.

### Cost of Governor-General's Establishment.

We find ourselves unable to make any exact estimate of what the cost involved will be. But the total expenditure involved in the arrangements which we are recommending for the first stage cannot possibly amount to anything which will be of major

* Hansard, 25th November, 1927, p. 2298.

importance to any of the three territories if it is divided between them. The details must be worked out during the preliminary stage and a fair apportionment arranged.

We recommend, however, that the cost of the salary of the Governor-General and his personal staff should during this stage be provided by His Majesty's Government, for the position of the Governor-General in so far as it is his function to secure the proper discharge of the responsibilities of His Majesty's Government may be considered as not dissimiliar to that of the High Commissioner in South Africa, the cost of whose appointment is at present borne by Imperial funds.

### General Significance of the Governor-General's Position.

In explaining what we intend the position of the Governor-General to be, we have endeavoured to use language which takes into due account the exact constitutional position of the Secretary of State and the local Governors. Nevertheless it must be recognised that what we are proposing is an arrangement for which there is no precise precedent in the present Colonial system and we have been more concerned to make clear the practical objects which we wish to attain, leaving the formal constitutional arrangements to be worked out accordingly.

The Governor-General will have a new and powerful position, and everything will depend on the spirit in which his powers are exercised, and the manner in which the future constitutional evolution is guided. We have emphasised at many points that the relation of the Governor-General to the territorial Governments is to be supervisory, and that he is to intervene as little as possible in the ordinary work of administration, both for the sake of leaving room for initiative and responsibility in the separate territories, and in order that he himself may be relieved from the burden of administrative detail and be free to concentrate on his primary task of directing and observing the main lines of policy. Nevertheless, the great practical difficulty of steering such a course must not be ignored. This difficulty has been well stated in the Report of the Decentralisation Commission in India :—

> " The difficulty of defining the exact limits between a ' just control, and petty, vexatious, meddling interference ' recognised by the Court of Directors in 1834 still remains. It is easy to say that the Central Government should confine itself to laying down general principles, and that the detailed application of these should be left in the hands of the subordinate Governments; but in practice it is sometimes extremely difficult to say what are mere details, and whether these may not affect the application of a principle. Again, what is normally a detail, properly left to a local Government, may at a period

of political stress or under altered circumstances become a matter in which the Government of India, and even the Secretary of State, must assert their responsibilities. It is, therefore, of paramount importance that the relations between the Government of India and the provincial Governments should be readily adaptable to new or changing conditions, and should not be stereotyped by anything in the nature of a rigid constitution."

It is for this reason that in our proposals great reliance is placed on the personal qualities of a single individual—the Governor-General. He must be given a wide discretion and, according to our view, any attempt to define his position in a detailed and rigid form would be a mistake. The essential significance of his duties can be explained better by personal instructions from the Secretary of State than by formal documents.

### Contact with the Imperial Government.

As already stated, the contact between the Central Authority and the Imperial Government raises questions as to the relations between the Governor-General and the Secretary of State, and as to the organization for advising the latter and for the framing of Imperial policy. Our proposals on these matters must be regarded as an essential part of our plan, but the questions are of such a distinct nature that they are reserved for special treatment in Part II of this chapter.

## ANNEXURE.

### Enquiries to be inaugurated by the High Commissioner.

We have already indicated that the formulation of native policy involves more thorough investigation than we have been able to undertake, and must be based on a much fuller expression of opinion, official and unofficial, than it has been possible for us to elicit in the time at our disposal. We recommend that the Central Authority, when it is set up, should undertake enquiries and issue reports on the following subjects:—

1. *Land Policy: Native Areas.*—This report would deal with the following amongst other topics:—

(*a*) The amount of land in each territory available for alienation to non-natives.

(*b*) Policy in regard to land which is neither native reserve nor ear-marked for alienation to non-natives.

(*c*) Whether in reserves, where these exist, any land should be leased to non-natives, and, if so, for what purposes and under what restrictions.

Before action is taken in regard to the matters dealt with in this report it should be printed and submitted for public criticism and discussion.

2. *Land Policy: Non-native Settlement.*—This report would include:—

(*a*) The agricultural and other economic possibilities of the land available for settlement.

(*b*) The pace at which non-native settlement should be allowed to proceed.

(*c*) The methods to be adopted for controlling the quality of non-native settlers, and for giving the settlers such assistance as they may need.

The report would need to take account of the policy of the Government in regard to railway development and other forms of transport, and also of the labour problem, which is dealt with under a separate heading. For the full consideration of the policy for settlement it will be necessary to carry out agricultural surveys of a great amount of unknown territory, particularly in Tanganyika (*see* above, p. 124).

3. *Native Production.*—This would include enquiries regarding:—

(*a*) The provision made for encouraging and improving native agriculture.

(*b*) The relative provision made by the agricultural and veterinary departments for native and for non-native areas, in respect of the expenditure of the funds at the disposal of the departments, and the number and qualifications of the officers assigned to each section.

(*c*) The railway and transport facilities available for native areas, and the adjustment of railway rates as between native and non-native areas.

(*d*) The provision for marketing native produce.

4. *Native Labour.*—The report would include, among others, the following topics:—

(*a*) The effect on native life of the absence of adult males who have gone out to work, and the proportion of males who can at any given time be absent from home without injury to the general well-being and progress of the community.

(*b*) The extent to which natives have a free choice between cultivating their own crops and disposing of their labour outside the reserves, and the general character and effect of advice given to natives by administrative officers and by native chiefs and headmen in regard to the disposal of their labour.

(*c*) A comparative study of the provisions made for native labourers in transit, the regulations relating to the treatment of labourers in non-native employment, settlement of natives with their families on non-native estates, administration of natives temporarily employed or permanently settled outside the native areas and not under the administration of tribal authorities.

(*d*) The supply of labour in each territory probably available for non-native enterprises, and the means by which the most economical and efficient use can be made of such supply as is available.

5. *Taxation.*—A report dealing with the amounts contributed to public revenue by the natives and by the non-native communities respectively, and of the respective costs of the services received by each; and also with the kind of information required to make such calculations reasonably accurate and of practical value, and the best means of obtaining such information.

6. *Native Administration.*—A report embodying the results of a comparative study of the methods and working of native administration.

7. *Native Education.*—A report dealing with the curriculum in all schools, methods for agricultural and other technical education, systems of apprenticeship and training of natives for employment in railway workshops, etc., instruction of natives working for non-native employers generally, the training and supply of teachers, and the possibility of a combined institution for higher education.

The manner in which these investigations can best be carried out would need to be determined in each case after a careful preliminary survey of the information already available, the further information required,

the sources from which it can be obtained, and the methods most suitable for obtaining it.

Reports on a number of the subjects are, of course, already in existence, but what is required now is to complete these, and still more to combine and compare the experience of the three territories. For example, if such a subject as native administration is being considered, the position in, say, the Kavirondo or Kikuyu Reserves should be considered in the light of experience which has been gained in Tanganyika and vice versa.

Answers must be sought to such questions as the following:—

"Are there traditional native institutions in Kenya of which greater use might have been made than has actually been done in building up native authorities?" *or*

"Has there been in Tanganyika a tendency to go too fast in the delegation of power to native authorities?"

## PART II.

## THE RELATIONS OF THE CENTRAL AUTHORITY WITH THE IMPERIAL GOVERNMENT.

Our recommendation for the creation of a Central Authority for Eastern Africa has been based partly on the idea that the presence of a Governor-General on the spot, who could keep in touch with local opinion and in his own person bring the authority of the Secretary of State into closer relations with local conditions, would help to overcome some of the disadvantages of control by a distant authority, and make Imperial direction of policy in every department both more efficient and more acceptable to the local communities. But it will still be the authority of the Secretary of State and ultimately of the Imperial Parliament on which the Governor-General depends, and our proposals will fail to provide the solution which we are seeking if the ultimate authority behind him is not directed to the support of a continuous and constructive policy, and is not exercised in a manner which commands the confidence of all who may be affected by it, that is to say of public opinion not only in Africa, but in England, and throughout the Empire.

Moreover the Governor-General, as an individual, obviously cannot fulfil all requirements. Not only will he need support if it so happens that in order to maintain the Imperial Government's policy he has to resist strong pressure from local interests, but he will also require advice both on administrative and technical matters—the latter especially in the exercise of such of his functions as that of a director of railway policy.

So far as concerns his need for advice he will, according to our proposals, rely largely on consultation with the man on the spot, and his close contact with the local situation will help him in this matter. But his place in our plan is also essentially that of a link between the Eastern African territories and the centre of

Imperial Government, and if his work is to be of full value he must be in touch with all the resources of experience and technical knowledge which the Imperial Government can command.

Again, as each individual Governor-General will only occupy the post for a limited period, and as in the course of a succession of different holders of the post many wide differences of view on important points are possible, continuity of policy must in the end be secured by Imperial control.

The support of the Imperial Government is therefore required, first, to reinforce the decisions of the Governor-General with its authority; secondly, to ensure for him the best advice; and thirdly, to preserve continuity of policy. The organisation at the headquarters of the Imperial Government must be adequate to meet these needs.

Dealing first with continuity of policy, we have already commented on certain defects in the present system of control (see Chapter IV, page 87). It suffers from a tendency to work from hand to mouth with the result that temporary and local considerations are apt to exert an undue influence and to produce a lack of continuity over a period of time and of consistency between one place and another.

It is on the one hand important that there should be some check and balance to the vigorous advocacy of the local communities for measures to meet the needs of the moment, which close and harassing contact with their own problems only too naturally inclines them to press without always considering their reactions in other places or the results to which they may ultimately lead. In such cases the calm consideration which commands a wider view from a higher standpoint is often very necessary.

It is on the other hand equally important to create among the local communities a feeling of security in the continuity of policy, and to counteract their natural anxiety lest political changes in England may suddenly necessitate the reversal of a course on which they are embarked.

We suggest that it might help towards meeting these needs if the Secretary of State had available for consultation on matters of policy a small advisory council, the personnel of which would be such as to command the confidence not only of the local communities but also of all British political parties, so that its influence might be consistent and continuous whatever party happened to be in power. Without committing ourselves to detailed recommendations as to the composition of such a council, we suggest that its numbers should be kept small (e.g., from five to eight) and that its members should include both men who had distinguished official careers and others with business knowledge. As

regards the selection of the latter, such representative bodies as the Joint East African Board or the East African section of the London Chamber of Commerce might be consulted. It appears also desirable that the missionary point of view should be represented.

The primary purpose of the Council would be to advise the Secretary of State generally on all important matters connected with Eastern and Central Africa and Zanzibar which he might decide in his discretion to refer to it. On the analogy of the India Council we think its members should be paid.

As other means towards the object which we are now considering—the maintenance of a continuous policy which commands the confidence of the public both at home and in Africa—we make the following further suggestions.

It will be an important part of the duties of the Governor-General to prepare an annual report on the course of affairs in Eastern Africa dealing with the broad aspects of progress and policy and based on a review of the reports from the three Governors which will be submitted to him. This annual report would be considered by the proposed East African Council, and if published as a Parliamentary paper their comments might be included.* Similarly, the Governors of Nyasaland and Northern Rhodesia and the British Resident of Zanzibar could submit annual reports to be considered by the East African Council. In this way there would be presented to Parliament properly-digested appreciations of the situation, prepared by men who are qualified to weigh up evidence and to extract the significant points. Such reports might form the basis for discussion of East African affairs on the Parliamentary Vote.

In a recent debate in the House of Commons† the view was expressed in several quarters that Parliament does not get an adequate opportunity for discussing Colonial affairs. On the other hand, as noted above, it is felt by those who live in Africa that when Parliament does discuss their affairs it does so without any proper understanding. In these circumstances the annual review which we have proposed might be of great value.

In addition to the above, we also suggest for consideration that periodical conferences for the British Dependencies in Eastern and

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* The main responsibility for making the report will, of course, be that of the Governor-General, and the weight attached to the comments by the Council will be largely dependent on personalities. If the Governor-General's reports are such as, for example, Lord Cromer's reports on Egypt, the importance of the original text is likely to outweigh anything that can be said in comment by the Council.

† Hansard 219 H.C., Deb. 5 s. Col. 2646.

Central Africa should take place, say, every three years in London, to be attended by official and non-official delegates from the various dependencies and the members of the East African Council. The presence of non-official members in such conferences would be a new feature and would possibly provide a valuable method for associating the non-official communities with the responsibilities of government. It might prove of great value in the case of controversial issues agitating local opinion if discussion could be postponed until the next meeting of the full conference which we have suggested. This, moreover, would be a useful means of bringing the non-official community into direct touch with political opinion at home and with the Secretary of State.

While the above proposals might help towards reinforcing the authority of the Governor-General as the local representative of the Secretary of State and the maintenance of a continuous policy under Imperial direction, they do not meet the second of the principal needs which we have mentioned—that of ensuring for the Governor-General the best advice on technical matters.

We have already noted that the Governor-General, if he is to supervise such matters as railway policy or financial policy, must have independent advice at his disposal. But as long as his duties are limited—as would be the case in the early stages already described—to the supervision of policy, there would not be sufficient work to occupy the whole time of special advisers in Africa on railways and finance, nor is it likely that it would be possible to secure for service in Africa men of the prestige and experience which would be required if the advisers' opinions were to have an authority sufficient to override the existing General Managers on railway matters, or of the local Governors and their staffs on finance. Some other means must therefore be found for meeting the need, and in regard to the matters of finance and railways we put forward the following suggestions.

We suggest in the first place that advantage might be taken of the existence of technical advisers appointed for general purposes by the Secretary of State. The post of an Economic and Financial Adviser to the Secretary of State has already been created, and we understand that it is possible that a Transport Adviser may also be appointed. Such advisers could be well utilised for the purpose which we have in mind, and it would be advantageous if they were able to make periodical tours in the Dependencies. But this alone may not in practice satisfy the whole of our purpose, while there are dangers in allowing too much authority to become concentrated in the single person of a permanent technical adviser. It is important to guard against tendencies on the one hand towards his usurping the functions of the local Heads of Departments; and on the other hand towards

his becoming too narrow and official for the purposes which we have in mind.

The advisory function which we have in mind could be fitted into its proper place in our scheme if the regular Adviser could work in consultation with men who are in contact with practical business conditions and whose opinion would carry weight outside Government circles. We therefore suggest that each permanent Adviser should work with a small non-official committee (i.e., a Finance Committee or a Transport Committee,*) consisting of not more than three or four men of outstanding qualifications and reputation. Possibly it might be sufficient at least at the start to have only one joint Committee, as matters of transport and finance are so closely connected. We suggest that it would on general grounds be suitable while it would be in accord with a particular purpose to which reference is made later (Page 178) if the Chairman of the Finance Committee, or the Joint Committee if there is only one, were selected in consultation with the Governor of the Bank of England. The Committee or Committees would only meet when required. Their work would be facilitated by having at their disposal the permanent Adviser to prepare the material for their consideration and to carry out any enquiries which are necessary. Thus in railway matters the Adviser would be constantly studying the monthly returns, and annual reports of the working of railways, and would call the attention of the Committee to any salient points. The Committee might perhaps have one or two regular meetings each year and otherwise only meet to consider special projects. The procedure of the Finance Committee would be similar, and, if there were two Committees joint meetings would often be necessary.

A question of minor importance, but one which requires consideration, is whether the members of the Finance and Transport Committees should be paid for their services. It would be preferable that these services should be voluntary. We do not anticipate that in normal circumstances they would involve a great amount of time, and for men of the position which we contemplate in the financial and railway worlds the consideration of any payment that could be offered would hardly carry weight. We believe that men could be found who would be willing to give their services in order to assist the development of the Empire on the right lines, and it would be more in accordance with our interpretation of their functions that their services should be voluntary. On the other hand, if it proves in practice advisable that a fee should be paid, we see no objection in principle to this.

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* In speaking of Transport we include all services of communications, Railways, Ports and Harbours, Inland Water Transport, Roads and Mechanical Transport. It is most important that all these subjects should be included in an initial survey.

A more important question is the relation between the technical Committees and the East African Council which we have proposed, for matters of policy to be considered by the latter may frequently have an intimate connection with railways or finance. The Council may, in fact, often have to consider recommendations by the technical Committees. As a practical measure we suggest that the chairman of each technical Committee should be a member of the Council. It might be necessary also on occasions to have joint meetings between the Committees and the Council, while in any case the technical adviser would attend when any project concerning his field of work was discussed.

It follows from the above suggestions that the Governor-General for Eastern Africa would have to keep in close touch with the organization in London. His opportunities for meeting the technical advisers at home would be supplemented by local meetings if the advisers, as we have suggested, make occasional tours of inspection. Discussions on important questions of policy should be reserved for meetings of the Council when the Governor-General is in London, and in our view it is important that he should be in London for a certain period each year.

We have spoken only of an East African Council and an East African Conference, but the machinery which we have proposed could be extended to operate over a wider field. It is beyond the scope of our terms of reference to make any proposals for such an extension but we have already indicated our view that for many purposes policy for the whole of Africa ought to be considered together, while the need for some more effective and helpful form of Imperial direction of policy has in our minds a wider significance and is applicable to the whole of the non-self-governing dependencies.

This direction is required both in the political and economic spheres. As regards the former it is not necessary to add any further explanation. We have already stated fully the arguments on which we base the necessity for Imperial control and the arrangements which we propose ought to provide a greater assurance of continuity than exists at present and a more sympathetic form of control. But in the economic sphere it is necessary to touch on the wider aspects of the problem in order to complete our proposals and to explain their significance.

The economic development of the non-self-governing dependencies may be compared to a great business undertaking. It is an undertaking for which the State must retain the major responsibility, for however much it may be desired to reduce the sphere of official action and to encourage development by private enterprise, conditions are such, at least in these African territories, that the main framework for such enterprise—particularly the provision of railways and other means of communication—must be

provided by the State.* Even in fields of business which can be left open to private enterprise it is essential for a Government which has accepted the responsibility of trusteeship for primitive native peoples to keep a strict watch, and to be ready to exercise control, over the methods by which business is transacted. Thus, if a native industry such as cotton-growing is started, and large numbers of natives come to be in any way dependent on its continuance, a Government may have to intervene in case of a trade crisis, and itself undertake heavy financial obligations by taking over the crop. Indeed, the responsibilities are such that it may well be the best policy for a Government to encourage first-class business undertakings to take up trade or development projects, and itself become a partner in such projects on a co-operative basis. It is unnecessary to describe in detail the various methods by which this might be done; all that we wish to do is to emphasise the special scope and need for State action which exists in these primitive countries. A mere policy of *laissez-faire* is not adequate to the requirements of the situation, nor a worthy method of discharging the responsibilities of the Imperial Government. Even

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* It would involve an undue lengthening of this report if we were to enter into a full exposition of the arguments in support of this proposition. We must be content to record it as our firm conviction that no other course is possible, and to note that the argument is in a sense of no more than academic value because the policy of Government development and ownership of railways has in fact been adopted in the territories which we are chiefly considering. It may be said that the railways in Nyasaland and Rhodesia have been provided by private enterprise, but the actual circumstances in these two cases show them rather to be exceptions which prove the rule. As regards Nyasaland, although the early pioneers of railway development in that country deserve every credit for their enterprise, its history can hardly be quoted as evidence that it has fared better than others with State-owned railways. The Government has had to incur heavy liabilities in guarantees for financing the later developments, and, now that further extensions are desired, there is no chance of finding the necessary capital unless the Government provides it. In fact, it is not too much to say that, as far as Nyasaland is concerned, the policy of entrusting railway development exclusively to private enterprise has broken down. In the case of Rhodesia the Chartered Company which built the railways was in a very special position, being not only responsible for the political administration of the country, but having an economic inducement to develop the country from its ownership of vast areas of land and the whole of the mineral rights. Moreover, the development would hardly have been carried out had it not been for the probability of great mineral wealth, for which there is no known parallel as yet in the other territories of Eastern and Central Africa. If similar mineral prospects are discovered elsewhere, it must be admitted that new conditions would come into existence creating a new possibility for inducing private enterprise to undertake railway construction. It does not, however, follow that it would in that case be right to surrender the principle of Government control of railways, or for a Government to sacrifice all its interest in mineral royalties, as has been done in Rhodesia, for the sake of getting private enterprise to finance railway development in the country.

if private enterprise is to be encouraged the Government must have a carefully considered policy in the matter.

It is the existence of such responsibilities which justifies our statement that the economic development of these territories may be compared to a great business undertaking, for which the Imperial Government is ultimately responsible. And, if a comparison is made between the existing arrangements and what would be found in any business undertaking, the conclusion cannot be avoided that there is at present no proper organization for the discharge of the responsibility. There is nothing to correspond to a " Board of Directors " at the top; nor is there any regular machinery in existence for raising any capital which may be required.

The significance of these statements can best be explained by an examination of the existing situation.

We may consider in the first place the means for providing capital for new developments. There are certain difficulties in this matter. At present, countries such as Tanganyika, Uganda, Nyasaland, and Northern Rhodesia are for all practical purposes debarred from raising money on their own credit in the London market, because none is a " Colony," and their securities—under the terms of the Colonial Stock Act—would not be Trustee securities. They therefore cannot finance important new projects unless they can issue loans with a British Government guarantee. Such a guarantee cannot be obtained without special legislation by the British Government—a matter of considerable difficulty. This particular difficulty has been partially met for the moment by the provisions of the East Africa Guaranteed Loan Act of 1926, which authorised the guaranteeing of loans up to £10,000,000 for railways and other projects in East Africa, provided that such projects are recommended by an Advisory Committee appointed under the Act and approved by the Treasury. It might be thought that the provisions of this Act exactly meet the needs which we have stated—both the means for raising capital, and, in the Advisory Committee, something analogous to a board of directors which can take the final decisions. To a certain extent this is true, but the provisions do not go far enough. The principal defect is that the facilities given are of a temporary nature, that they apply only to a limited field, and that their use is in practice restricted by rigid conditions. The fact of having a special fund of a limited amount tends to force all the Governments concerned to put up hastily-considered propositions so as not to lose their chance of sharing in an opportunity which may not present itself again. Further, the Advisory Committee is an *ad hoc* body and lacks continuity of experience, while its recommendations are in practice subject to review by the Treasury whose officials are bound to test every proposition almost entirely by one condition—whether it is likely

at any time to involve a charge on British Government Funds, even of a temporary nature.*

We have already pointed out (see Chapter V) that development projects which are possibly quite justifiable on economic grounds may require a period of nursing through lean years at the start before the full results of the development are felt, and that it may often happen that the local Government has not itself sufficient financial resources to provide the necessary support through these lean years. Support in such cases can only come from the Imperial Government, and at present there is no entirely appropriate provision for giving it. The economy which has to be insisted upon by the Treasury takes only the negative form of restriction of outgoings, and there is no Department of the British Government charged with the duty of encouraging that other form of economy which consists of wise expenditure on productive undertakings. We wish to emphasise that we are not advocating a costly and unbusinesslike policy, or any confusion between economic and so-called political objectives. This kind of development should not be undertaken unless it is economically sound; it ought not to be rushed forward and there is no reason why the British taxpayer should be called upon to bear the burdens which ought to be borne by the local communities. All that we are advocating is the introduction of reasonably elastic methods of finance, and the institution of a competent body to deal with new projects, which can take into account their future and indirect potentialities, and not merely immediate and direct returns.

As regards finance, the practice at present enforced is exceedingly onerous and discouraging to new development. If a railway has to be built, it can only be financed by loan money on which interest has to be paid from the beginning, and on which a sinking fund commences to operate at an early date, generally three years from completion of the works. No method analogous to the raising of capital by the issue of ordinary shares exists. In the sphere of private business it would be difficult to find any new undertaking which could be built up on this basis.

There are various ways in which financial facilities of the kind which we are advocating could be afforded.

One way would be to create a development fund available for investment in capital undertakings which had been approved after careful scrutiny by a competent body. Advances from such a fund could be made in the case of new projects on terms providing for the payment of interest after a reasonable initial period.

* This statement of the position applies strictly only to those countries which cannot borrow without a Treasury guarantee. But the case of Kenya is not dissimilar, for, inasmuch as the Kenya Government is under financial obligations to the Treasury, all proposals for the issue of loans have to be scrutinized and approved by that Department.

Whether the interest during the " free period " was ultimately to be recouped, and, if so, on what terms, would be a matter for arrangement in each case.* As soon as interest began to come in from the first projects† there would be an income available for assisting further projects which could either be used as a direct subsidy to such projects, leaving the money to be raised in other ways, or as security on which further capital could be borrowed and advanced to the Governments concerned—again free of interest if necessary for such period as would in each case be arranged. The fund would in this way become a revolving fund and a comparatively small initial grant might support a great deal of business. In fact the position would be that the British Government would have taken up ordinary capital in an Empire Development Company, which company would then be able to raise debentures on the security of the investments made with its ordinary capital. Similar proposals were made in a memorandum by Mr. Linfield attached to the Report of the Parliamentary Commission.‡ The danger of creating a special fund of this kind is that its very existence might be a temptation to unsound expenditure and it would require careful supervision.

Another alternative would be that facilities should be created enabling direct advances to be made by His Majesty's Government for approved projects, the money being raised by creating for " Colonial Loans " machinery analogous to that previously in force for " Local Loans." The advances from funds thus raised might be made again free of interest, or this measure of assistance to the borrowing Governments might be provided by grants from such funds as those at the disposal of the Empire Marketing Board. Or again, a simpler method and one which would involve a less striking change from existing procedure, would be the creation of facilities such as are provided by the East Africa Guaranteed Loan, which could be extended from time to time as a regular practice. This

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* In cases where the interest remitted is ultimately to be repaid, the simplest and fairest plan would be to make a slight addition, in excess of the normal rate, to the interest ultimately payable in order to provide a redemption fund. For example, if the normal rate of interest is taken as 5 per cent., and if no interest were charged for five years, then if after that 5¼ per cent. were charged instead of 5 per cent., the extra ¼ per cent. would represent a sinking fund of 1 per cent. on the total amount of interest remitted (not allowing for accumulating interest on that). Such a sinking fund should be sufficient without being too onerous on the borrower.

† It is worth considering, if this suggestion is adopted, that the original advance of £5,600,000 made to the Kenya-Uganda Railway should be brought into this fund. As already noted, the terms as regards this advance have to be reconsidered in 1933. If it is then decided that a moderate rate of interest can be paid, this revenue might be allowed to go to the " Development Fund " where it could be used to assist new projects.

‡ Cmd. 2387, page 183.

might suffice provided that sufficient elasticity is allowed in the utilization of the facilities by the recognition that in certain cases projects could be sanctioned which involve a definite probability that the British Government might be called upon in the early years to pay on its guarantee.

Various combinations of the ideas included in the above suggestions are possible. The essential purposes towards which our suggestions are directed are the maintenance " on tap " of financial facilities for sound propositions and the provision of the possibility of advances being made for a period in effect free of interest if the circumstances justify it.*

It would be essential that the facilities which we have recommended should only become available after a most careful scrutiny, and this brings us back to the second deficiency in the existing arrangements to which we alluded above, namely, the lack of anything corresponding to a " Board of Directors " at the top responsible for taking decisions of this kind.

According to the present arrangements, when any development proposition comes up it has to be considered both by the Colonial Office and the Treasury, and experience shows that, where two British Government Departments are concerned, there is no readily available machinery for getting a decision. Moreover, the officials in these two Departments do not normally possess the qualifications and experience necessary to take decisions of this kind. We do not suggest that the sort of critical examination to which propositions are subjected by the Treasury is unnecessary. It is indeed essential that some such test should be applied before large sums of public money are expended, because in such cases the checks and penalties which stimulate private enterprise to efficiency are lacking. But however admirably the critical function is performed, criticism is not all that is necessary for doing good business, and at present there is no adequate instrument to balance the Treasury on the constructive side. This is necessary both for the working out of projects and for taking final decisions. The former requires long study and often elaborate negotiation, while as regards the latter, it must be recognised that it is hardly possible that any project can be found which does not involve some element of risk. The risks to which the critics will rightly have called attention have to be weighed against the possible advantages, and, if the risks are such as to involve possible payments by the British Government while the advantages cannot be expressed in terms of possible budgetary revenue, the difficulty of arriving at a fair decision in present circumstances is increased. In point of fact, a constructive policy of development requires direction by men possessing wide experience and proved business judgment and an organization ensuring the adequate preliminary study of propositions.

* See footnote * on page 175.

Point may be given to our present argument by an examination of what has actually happened in the past. Assistance on the lines which we are now advocating has in fact from time to time been given. We have already referred to the loan-in-aid of about £5½ millions sterling made for the construction of the original Uganda Railway. Recently again an advance of £3½ millions free of interest for five years was made for the extension of railways in Uganda. These two special grants have indeed produced very valuable results, but we do not believe that spasmodic assistance of this kind satisfies what is required. There is no adequate method for the control of the expenditure of money thus provided, and the tendency is for a grant of this kind to be made when some particular purpose attracts public attention. For example, the special advance of £3½ millions was made for the explicit purpose of encouraging cotton growing at a time when there were fears of shortage. When an advance is made for such extraneous purposes, there is likely to be a demand for quick results, and there is a probability that hastily-considered schemes will be inaugurated. The actual experience gained in the expenditure of the £3½ millions loan might not unreasonably be quoted as an illustration of this, for it was represented to us that one at least of the railway routes selected would not have been adopted if there had been time for more mature consideration. We have already argued at great length in Chapter V that there is a need in all these matters, and particularly in connection with the construction of railways, for careful enquiry and long preliminary study of all the material factors. If it were known that money was always available on reasonable terms for propositions which would stand the test of careful scrutiny, it is likely that this would create the necessary encouragement for undertaking adequate and continuous enquiry.

It is obvious that if new facilities for spending money are to be provided, the point at which Treasury control is to be applied requires careful consideration. It may be presumed that, whatever method is adopted, the Treasury must in practice approve each particular proposition, but the significance of this act of approval would vary under varying arrangements. Thus if a " Development Fund " is created, the chief act of control would be the fixing of the amount of this Fund. Once created, its disposal might be entrusted to a competent committee approved by the Treasury, and the Treasury would usually adopt the attitude of trusting a body which it had itself set up. Possibly a Treasury representative might be included on this Committee.

If no special Fund is created, each proposal might have to be submitted for scrutiny by the Treasury, the latter remaining aloof until the final act, and taking no part in the preliminary preparations or negotiations. This is apt to be a cumbersome process, leading to great delay, especially if there are changes of personnel

at the Treasury. To facilitate a more helpful form of co-operation, the Treasury might be represented on any body which is responsible for preparing propositions.

Whatever form is adopted, we think that our suggestion of permanent Financial and Railway Advisers at the Colonial Office, working in contact with small unofficial committees of first-class men, is the best possible arrangement for providing the main framework of the organization required. The way in which the operation of these committees is to be adapted to the requirements of Treasury control is a matter for detailed discussion if the general idea is approved.

Before leaving this subject, we must point out that it is not merely in connection with projects to be directly financed by the Government that the committees which we have proposed might perform useful functions. Something analagous to a board of directors with business experience is particularly necessary in dealing with applications for concessions to private enterprise. The considerations which should govern the selection of the concessionaires and the settlement of the terms demand a close knowledge of personalities and trade conditions which it is difficult for an official to maintain, while the advice of such committees might be a valuable support to the Secretary of State in dealing with public criticism of any action taken.

There are other important matters also in which such advice might be of value, such as policy in regard to the issue of loans, or in the handling of sinking fund investments. As regards the issue of loans, it is consistent with the whole line of argument which we have developed hitherto that we should emphasize the importance of maintaining a co-ordinated policy for the external borrowings of the various parts of the British Empire. It is particularly important that in order to help towards this object there should be a definite link between those responsible for directing the economic development which we are considering and the Bank of England.

We have dealt chiefly in the preceding paragraphs with the organization for economic development; but clearly the idea of utilizing the best intelligence available at the headquarters of the Empire for helping to guide policy in the non-self-governing dependencies is applicable in other spheres also. Many important steps have indeed been taken recently in this direction—the appointment of a Medical Adviser, the proposed appointment of an Agricultural Adviser, the plans for an Imperial organization for Scientific Research, the appointment of an Advisory Committee on African Education, are instances in point, and, if we correctly understand these measures they have been undertaken exactly in the spirit which has animated our own proposals. These are admittedly experimental and they require considerable elaboration in detail. Further developments must be guided according to practical experience and will depend on the selection of personnel for the advisory bodies which we have suggested.

It may be objected that the machinery which we are proposing is cumbersome and will involve a hampering control of the "man on the spot"; that the only way to ensure a vigorous policy and to achieve real progress is to have a first-class staff in Africa and to place confidence in them. This possible objection is one to which we have given careful consideration and we are in sympathy with the line of thought on which it is based. But the existing machinery, especially in regard to the financing of development projects, is already cumbersome and we believe that the plans which we have proposed will give better effect to the opinion of those in touch with local conditions, and greater latitude to local initiative and enterprise. We are dealing, moreover, with a position in which ultimate Imperial responsibility, and therefore ultimate Imperial control, is unavoidable, and our object is to produce a plan which, while adequate for the discharge of the responsibility, will preserve control rather in the form of helpful support and guidance than hampering restriction.

The success of our own proposals for providing an appropriate organization at Imperial headquarters depends of course entirely on attracting the right kind of men to serve on the Council and committees. As regards the latter, we believe that there ought to be no difficulty if His Majesty's Government adopts a policy which will guarantee support for sound propositions. A vision of the full opportunity is necessary, and the policy must be worthy of it. The United Kingdom with its non-self-governing Colonial dependencies—including the Sudan—covers an area of about 3.36 million square miles and has a total population of about 103 millions. With this may be compared the United States with an area of about 3 million square miles and a population of 105 millions. The natural resources—agricultural and mineral—of the United Kingdom and these dependencies may at least be equal to those of the United States, and the idea of their development in close economic union opens up vast possibilities. The opportunity to play a part in the central direction of such a group of territories may well appeal to those who feel any call to be of service to the Empire.

## CHAPTER VII.

## INSTITUTIONS FOR LOCAL GOVERNMENT.

It was pointed out in Chapter IV (page 104) that a necessary condition of a solution of the political problem in Eastern Africa was the distribution of power in different centres of government. Having described in the last chapter the functions of the Central Authority, we shall consider in this chapter the institutions of local government, and in the next the Legislative Council in Kenya,

all these being essential parts of the organic whole of government in Eastern Africa.

The institutions of local government have a double value, first, as furnishing an indispensable training ground for the exercise of responsibility in wider fields, and, secondly, in preventing an excessive and undesirable concentration of authority in the hands of the central legislature. Their importance for these purposes was clearly recognised by Lord Durham and receives strong emphasis in his Report. " A general legislature which manages the private business of every parish, in addition to the common business of the country, wields a power which no single body, however popular in its constitution, ought to have; a power which must be destructive of any constitutional balance. The true principle of limiting popular power is that apportionment of it in many different depositions which has been adopted by all the most free and stable States of the Union."*

In the complicated racial conditions which prevail in Eastern and Central Africa local government institutions, provided that native and settled areas are arranged in homogeneous blocks of adequate extent, offer a field in which each race can control and direct its own more immediate affairs and learn to exercise responsibility unhampered by the complicating presence of the other. In this way they can allow free room for the expression of the individuality of communities entirely diverse in their traditions, habits, experience, and requirements. By no means all problems are central problems. Problems which are not central in their incidence can best be decided at the place where their incidence is felt and by the persons whom the decisions on them will most deeply affect. The multiplication of the centres of political decision is the most effective means of fostering the sense of responsibility among the inhabitants of a territory. Local government affords a wide field in which responsibility can be made real and, within the defined limits, complete.

We are therefore strongly of the opinion that the vigorous development of the institutions of local government, both in the settled areas and among the natives, is an essential factor in the solution of the problems we are considering, and that such institutions have a most important place to fill in the system of government in Eastern and Central Africa. In regard to the settled areas, we are in hearty accord with the arguments of the recent Local Government Commission in Kenya in favour of the creation of local authorities having real executive power of their own—namely, that there are certain classes of work which can be better done by a local than by a central authority; that local interest is stimulated in work which is entrusted to local control; that a proportion at least of the cost of

* *Lord Durham's Report.* Edited by Sir C. P. Lucas. Vol. II., p. 287.

local services should be provided by local taxation; and that the conferring of real authority and responsibility on elected local bodies may be expected to develop in the electors the capacity of working together for common ends, and to accustom their representatives to deal with the practical problems of administration and thereby prepare them for the acceptance of larger responsibilities in the national sphere.* We were glad to learn that the question of establishing local government institutions in the Moshi and Arusha area is engaging the attention of the Tanganyika Government.

As regards the native peoples, we have already (pages 75-78) dwelt on the importance of the development of native administrations, which provide for the natives an opportunity of political expression, of active participation in the management of their own affairs, and of learning responsibility and the art of government in and through institutions that are indigenous, traditional, and familiar. We were greatly impressed by what is being accomplished in this field in Tanganyika, where in the Estimates for 1928-29 a sum of £143,000, amounting to one-fifth of the total revenue from direct native taxation, is assigned to, and will be expended by, the native administrations.

Moreover, a policy directed towards the building up of strong local self-governing units will allow ample room within the general system of government for native states like the Kingdom of Buganda, which are autonomous as regards their internal affairs. The Kabaka of Buganda and his Ministers expressed to us their great anxiety lest any close union of the Eastern African territories should affect the terms of the Uganda Agreement of 1900. They were afraid that a Central Authority for Eastern Africa might be inclined to interfere with the internal administration of the Kingdom of Buganda, and that the effect of setting up such an authority, however little intended, would be in the end to deprive the Baganda people of their individuality, by making the country conform to legislation and methods of administration applied uniformly to the whole of Eastern Africa. Similar apprehensions were expressed to us by other native chiefs. The policy which we advocate, however, would tend in precisely the opposite direction to that which is feared. We recommend that local self-government should be encouraged in order to allow the largest room and freest play for the expression of individuality, for initiative, and for variety. It is an essential part of the policy we recommend that the Baganda should have complete freedom to maintain and develop their own native administration, as a local self-governing unit, while enjoying at the same time the advantages of association with a larger political system.

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* *Report of the Local Government Commission*, 1927. Vol. II., pp. 64-6.

# CHAPTER VIII.

## THE GOVERNMENTS OF KENYA, UGANDA, AND TANGANYIKA.

The central problem with which we are dealing, as has been made clear from the discussion in the preceding chapters, is how the legitimate claims of the immigrant communities to a responsible share in the direction of public affairs are to be reconciled with the need for the maintenance of such a measure of control as is necessary to enable the Imperial Government to discharge its responsibilities—principally its responsibility of trusteeship for the natives.

The essence of our plan for dealing with this problem is a division of the functions of government. We have proposed that, after separating out affairs of purely local interest which are to be entrusted to representative institutions of local or municipal government, the functions and powers of government should be divided between a Central Authority for Eastern Africa and the Governments of the separate territories. It is proposed that the Central Authority should be charged with securing the observance of certain principles of policy and with the carrying out of certain purposes which have been described in the preceding chapters. In order to discharge his responsibilities the Governor-General must have full executive authority, and also the power to obtain the legislation which may be required for carrying out the purposes entrusted to him.

Having dealt with local government institutions and explained our recommendations for the creation of a Central Authority for Eastern Africa, it is now necessary to set out our proposals for the constitutions of the territorial governments. The evidence which we have received does not lead us to recommend any changes at the present time in the Legislative Councils in Uganda and Tanganyika. The question of the Kenya constitution, however, has been one of the most difficult questions that we have had to consider, and the present Chapter of our Report must be devoted to the consideration of this subject.

### The Kenya Constitution.

The object to be aimed at in proposals relating to the Kenya constitution is that, within the framework of Imperial control of policy for the purposes specified, there should be opportunity for advance in the exercise of initiative and responsibility by the local unofficial communities. This raises questions of the relation of these communities both to the legislative and the executive functions of government. After explaining our purposes in this respect it will be necessary to consider at greater length the relations between the three territorial Governments and the Central Authority. This will be dealt with in a separate Chapter (Chapter X).

## I. Legislative Powers.

By Royal Instructions dated the 28th March, 1927, the Legislative Council in Kenya is composed of :—

I. *Official members:*—

(*a*) Eleven ex-officio members;

(*b*) Nominated members not exceeding nine in number (at present eight are European officials and one an Arab official).

II. *Unofficial members:*—

(*a*) Eleven elected European members;

(*b*) Indian elected members not exceeding five in number. (At present there is only one elected Indian member, owing to the refusal of the Indian community to accept further representation on a communal basis. The Governor has power to fill vacancies in the number of Indian elected members by nomination);

(*c*) One Arab elected member;

(*d*) One nominated unofficial member to represent the interests of the African community. (This seat is at present filled by a missionary.)

The Council has assumed its present form under pressure from the immigrant communities. Until 1919 all the unofficial members were nominated by the Governor. An ordinance enacted in that year provided for the election of members by European British subjects on the basis of adult suffrage. This measure evoked strong protests from the Indians, with the result that Indians and Arabs were eventually allowed to elect members under a communal system, also on the basis of adult suffrage.* The result has been that the principal immigrant communities obtained elected representation in the Council, while the interests of the natives remained without special representation, with the exception of the one missionary who is nominated for this purpose.

If the object in view is the steady advance in the exercise of responsibility and initiative by the local communities the first necessity is that the Legislative Council should be a body which truly and fairly reflects the feelings and interests of all races in the Colony; this means that the representatives of those races on the Council must be properly chosen and that they should exercise their functions as representatives with a full sense of responsibility.

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* In the case of the Arabs the franchise is limited to males able to write Arabic or Swahili in Arabic characters.

The matters which chiefly call for attention in connection with the Council as at present constituted are the existence of an absolute official majority, the representation of the various racial interests, native and non-native, and the system of franchise.

### (1) The Official Majority.

The arguments which can be advanced against the maintenance of an official majority are so well known that they need not be explained at length. It is criticised on the ground that it tends to make debate unreal, since the Government is always in a position to enforce its will on all subjects, and this fact deprives the unofficial representatives of the sense of responsibility for their conduct in debate or voting that they might be expected to feel if their votes made a difference to the result.

If the general principles of our scheme for the institution of a Central Authority are accepted, we think that it would be both safe and advantageous to relinquish an official majority in the Legislative Council in Kenya, and, in proportion as the powers of the Central Authority are made effective, we look forward to a progressive relaxation of official control in the Council. We believe such an arrangement to be much more satisfactory than that which exists at present under which the unofficial representatives, as has been shown in a previous chapter (page 89), exercise in practice considerably greater power than their voting strength in the Council, while they have no commensurate responsibility. It is desirable that there should be established a better balance between power and responsibility than is provided under existing conditions.

There are limits to what is possible in any arrangement that can be proposed. We have already made it clear that the ultimate responsibility in certain matters must remain with the Imperial Government, and that we cannot recommend any measures which can be regarded as leading to responsible government within the visible future. The responsibility of a legislature can become complete only when it possesses the power to dismiss the executive. Until responsible government becomes possible, some of the alleged disadvantages in the present system must inevitably remain, since criticism of the Government in power by any party can never be submitted to the test of experience unless the party can be called upon to assume office and put the policy which it has been advocating into effect.

Notwithstanding these inevitable limitations, we believe it to be possible to create a recognized and wide field in which the Government of Kenya and the representatives of the local communities will be able to co-operate freely in the conduct of the affairs of the Colony, without interference from outside, and that within this field the unofficial representatives can be allowed greater constitutional power than they have at present, without jeopardising the

maintenance of the main principles of policy for which His Majesty's Government must remain responsible.

The proposals which we put forward in this chapter are designed to take advantage of these possibilities.

### (2) Representation of Native Interests.

It will have been seen from the account of the composition which we have already given of the Kenya Legislative Council that the advocacy of native interests has, under the present arrangement, been left with the Government except for the appointment of a European missionary as a representative of these interests. However appropriate this arrangement may be in territories where the Government can concentrate its attention on the advancement of natives without considering competing interests, it is not satisfactory where other communities are, as in Kenya, powerfully represented in the Legislative Council. The Government is put in the difficult position of having at the same time to represent the native side in debate, and to maintain an impartial and sympathetic attitude towards all the different interests in order to effect a reconciliation between them. It has to fulfil the functions of both advocate and judge. If it concentrates on the former, it tends to be brought into permanent opposition to the unofficial party; if it confines itself to the latter, there is no advocacy on the native side to balance the vigorous presentation by the elected members of the views of their constituents.

It has further to be borne in mind that, apart from what may be considered to be general native interests, the native reserves have economic and other interests of their own, as contrasted with the needs of the settled areas. It is important that provision should be made for the effective presentation in the Legislative Council of the special needs and interests of the geographical areas which constitute the reserves.

It is much better that in questions involving the interests of natives and of the immigrant communities, or, as will often be the case, the interests of the reserves as opposed to those of the settled areas, the main argument should be conducted between advocates of the different views, leaving the Government in the acknowledged position of holding the balance between them.

The means of providing for a satisfactory independent representation of native interests is, however, a question of great practical difficulty. It must obviously be a very long time before suitable individuals can be found among the natives themselves. Not only are natives of sufficient education lacking, but it would be impossible to find any single man who could represent, or command the confidence of, more than a section of the people. There are in Kenya no big chiefs representing any considerable native community, while the ballot-box is a method entirely foreign to native ideas and

quite unsuited for their use. There is consequently no alternative at present to the representation of native interests by Europeans, and the question is whether suitable Europeans can be found.

One suggestion is that they should be chosen from the missionaries. The best missionaries possess an unequalled knowledge of the life and mind of the natives. Their contact with a particular tribe is for the most part more prolonged and continuous than that of administrative officers who are often moved to a new district on promotion. On the other hand, there are many aspects of native administration which do not ordinarily come within a missionary's purview, and for dealing with which his knowledge and experience do not equip him. Only in exceptional cases has a missionary the leisure to obtain that general knowledge and mastery of the problems of native administration which would enable him to represent native interests effectively in the legislature. There are exceptional missionaries who possess these aptitudes, and when they are available their intimate knowledge of the native mind enables them to represent native interests better than most Europeans.

A second source from which representatives of native interests might be drawn is the unofficial European community. The Governor of Kenya is of opinion that there are settlers who have lived long in the country and who have acquired both a liking for the native peoples and a knowledge of their ways, who might, with advantage, be nominated to represent native interests. There can be no doubt that there are settlers who, dissociated from responsibilities to a European constituency, could bring an unbiassed mind to bear on native questions, and it would be a gain to have native interests advocated and supported by those who as members themselves of the unofficial community are specially qualified to interpret the native point of view to that community. On the other hand, not many settlers possess an intimate knowledge of life in the reserves, nor have they as a rule the thorough command of the native language to enable them to reach the inside of the native mind. Where a settler is available possessing the necessary qualifications we see many advantages in selecting such a man for the present purpose.

No one could represent native interests with greater knowledge and understanding than district officers or provincial commissioners. But their official position limits their freedom to express independent views in the Legislative Council or to vote against the Government.

Another possible solution would be that administrative officers who have completed their service and who possess the necessary qualifications should be encouraged to remain in the country and be appointed as representatives of native interests in the Council. It is possible that such men might be found among officials who after the completion of their service have decided to remain as

settlers. Since they would be no longer in the service, their opinions and votes need not be subject to official control. If, however, suitable men cannot be found among officials who have settled in the country, it is a matter for consideration whether the Government should not select men possessing the necessary qualifications from officials approaching the end of their period of service and retain them to represent native interests in the Council, paying them a modest honorarium in addition to their pension. We see no reason why public funds, derived largely from native taxation, should not be used, if necessary, to ensure that the interests of the natives should be effectively represented in the Council. Such appointments would be for a fixed period of years, and it would be understood that persons so appointed, being no longer in the administrative service and being nominated for the express purpose of representing native interests, would be free to speak or vote as they thought right in the support of those interests. The effective representation of native interests is a matter of such importance that we think that the adoption of this expedient should be seriously considered if satisfactory representation cannot be provided from other sources.

* We think it of fundamental importance that those chosen to represent native interests should be men who are fitted by very special qualifications for this purpose and that it would be better to err on the side of having too small a number than to run the slightest risk that this method of representation should be discredited or possibly even regarded as a means for increasing the European representation on the Council for other purposes. It is extremely difficult for us to estimate the exact number of suitable men that could be found, but in view of the considerations to which we have called attention, we do not think it safe at present to suggest more than that four such representatives should be chosen in addition to the missionary already appointed for the purpose. The four representatives to be chosen in the manner which we have proposed are intended to replace four of the official members of the Council.

We recognise that the introduction of these special representatives in the Legislative Council will not in itself suffice to secure the adequate representation of the native population. Apart from the numerical inequality in the representation that we propose, the native point of view cannot be represented by Europeans, however competent, with the same effectiveness that European elected members are able to represent the views and interests of their constituencies. We suggest four things that might be done to strengthen the position. Taken together they ought to ensure a fair consideration for native interests.

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* The Chairman dissents from this paragraph to the extent stated in his Additional Recommendations (page 244).

In the first place, provision needs to be made for consulting native opinion directly in regard to legislation that affects natives. Suggestions for this purpose have already been made in Chapter III (page 82). It should be the duty of the Government to make itself familiar, through the informal Councils which we have proposed, with native opinion regarding legislation affecting native interests. It is important, further, that the representatives of native interests in the Council should be associated in this consultation of native opinion. They can discharge their functions effectively only if they are in constant and close touch with native opinion, and without frequent personal contact it will be difficult to maintain the confidence of the natives in their European representatives.

Secondly, since natives are at present incapable not only of defending their interests effectively, but also, of appreciating what those interests are, it is essential that the effect of the impact of the new civilisation on native institutions, native welfare, and the native mind should be the subject of careful study. Thorough knowledge by the Government of native conditions is necessary to compensate for the present political weakness of the native population. We have already recommended that it should be part of the functions of the Governor-General to undertake enquiries in regard to native affairs. The results of these investigations will furnish a growing body of sifted and tested knowledge about native conditions which will be at the disposal of the representatives of native interests in the Legislative Council, and will enable them to present their case with a fuller understanding of all that is involved. It is very difficult for an ordinary member of a legislative body, with little leisure and without access to official information, to take part effectively in debate, and if the representatives of native interests are to play their part successfully they will need help in the same way that a barrister needs to be briefed.

Thirdly, provision needs to be made in Kenya itself for the more thorough consideration of native questions which engage the attention of the Legislative Council than is possible in the debates of the Council itself. We have considered various ways in which this might be done. We have rejected the idea of setting up a Native Affairs Commission on the lines adopted in South Africa. Conditions in Kenya, where administration is in the hands of an official government and not of a responsible ministry, are entirely different from South Africa, and an independent body dealing with native affairs would be like a fifth wheel to a coach. Its activities could hardly avoid encroaching on the functions of the Executive Council and of the Chief Native Commissioner. There are objections also to the setting up of a standing committee of the Legislative Council on native affairs, since the responsibility for native administration must rest clearly with the executive and cannot be made subject to the control of the Legislature. We think that the

object in view can best be attained by the formation of an Advisory Committee on Native Affairs to assist the Chief Native Commissioner. The committee should be strictly advisory, since nothing should be done to impair the full responsibility of the Chief Native Commissioner. The committee should be nominated by the Governor, and approved by the Central Authority, and might include some or all of the representatives of native interests in the Legislative Council, one or more provincial commissioners, and such elected members or other persons possessing special knowledge of the natives as the Governor might think it advisable to appoint. As soon as natives capable of serving on the committee are available, one or more native members ought to be appointed. Such a committee would secure that all sides of questions affecting native interests were fully canvassed, and would greatly assist the Chief Native Commissioner and the representatives of native interests in presenting the native point of view in the Legislative Council.

Fourthly, it is important that members specially chosen to represent native interests should be included in all official bodies which can influence policy. We refer particularly to the Advisory Council which we have recommended for the Governor-General and to Select Committees of the Kenya Legislative Council. As regards the latter, in many cases provincial commissioners, if they are members of the Legislative Council, would be valuable members of such committees and would be free to express independent views.

If these steps are taken, the provision for the political representation of the natives would probably be as satisfactory as in existing circumstances it can be made. Their practical effect must be carefully watched and improvements if they prove necessary must be constantly sought, for the inadequate or feeble representation of native interests may in some circumstances be worse than no representation at all. So long as natives have to be represented by Europeans, every effort should be made to secure as complete knowledge and thorough understanding of native conditions and native opinion as good organisation can provide.

We are of opinion that the Governor's recommendations for the appointment of the Europeans nominated to represent native interests on the Legislative Council should be referred to the Central Authority before being submitted for His Majesty's approval.

### * (3) Representation of Non-native Interests.

We must now consider the representation of non-native interests in the Legislative Council, and this raises questions on two important points, first, the adequacy of the present number of members, and, secondly, the relations between the European and Indian

* The Chairman dissents from the section "Representation of Non-Native Interests" to the extent stated in his Additional Recommendations (page 244).

communities. The issues involved in these questions are some of the most difficult which we have had to study, and have occupied a large proportion of our time. After very careful deliberation we have decided to recommend no change in the present numbers, at least until some experience has been gained of the results in practice of our other proposals, and until certain further inquiries have been made for purposes which we shall hereafter explain. Our reasons for this are two-fold. On the one hand we are recommending an important step in the relaxation of official control, and we think it wise that the effects of this change should be tested before any further increase in the number of the elected unofficial representatives is made. On the other hand, we do not think it right to disturb the *status quo* as regards the relative representation of Europeans and Indians without prior reconsideration of the whole basis of the franchise. The existing arrangement for Indian representation was arrived at after much controversy and long deliberation by His Majesty's Government. If it is to be disturbed the whole basis of the arrangement must be reconsidered, and this can only be done after completing inquiries which we have not been able to undertake. We think, moreover, that it can be done with better chance of success after there has been an opportunity to create, as a result of our other proposals, a better spirit of co-operation than has hitherto prevailed. We can better explain the reasons for, and the exact nature of, our recommendations as to further possible developments after considering the effect of our immediate proposals.

This will be clear from the following table :—

| | *Present Position.* | *Proposed Position.* |
|---|---|---|
| *Official Members.* | | |
| Appointed Ex officio ... ... ... | 11 | 9* |
| Nominated British Officials ... ... | 8 | 6* |
| Nominated Arab Official ... ... ... | 1 | 1 |
| Total Official Members ... ... | 20 | 16 |
| *Unofficial Members.* | | |
| Elected Europeans ... ... ... | 11 | 11 |
| Elected Indians ... ... ... ... | 5† | 5 |
| Elected Arab ... ... ... ... | 1 | 1 |
| Nominated to represent Natives ... | 1 | 5 |
| Total Unofficial Members ... | 18 | 22 |

* It will be noted that we are providing for a reduction of the British official numbers by taking two from each category. This will leave the Government more latitude as regards further reductions than if the whole reduction were made out of the quota of nominated members.

† As already noted, there is at present only one elected Indian member, and the Governor has power to fill the remaining seats by nomination.

The obvious and most important effect of the change proposed is the removal of the official majority, and this is intended, as has been stated, to be the first step in the progressive relaxation of official control in the Council, to be undertaken in proportion as the control of the Central Authority in essential matters is made secure and effective. When the unofficial members of the Council are in agreement they will be able to pass or reject a measure independently of the official vote. On the other hand, when the unofficial groups in the Council are divided on any question, the Government will be able to give its support to the side which it believes to be in the right, and will thus have, in any division in which there is a conflict of racial interests, what may be described as a casting vote.

It will be possible later, as a further step, to reduce the strength of the official vote without depriving the Government of its power to act as arbiter when the representatives of European and native interests are unable to agree. We have indicated that the representation of native interests at present proposed is not proportionate to the importance of those interests, and when the time comes to increase the number of such representatives it would be possible to effect a corresponding reduction in the number of official members while at the same time retaining a casting vote of the Government. The power of the Government to act as arbiter in a conflict of racial interests by the use of the official vote can be safely surrendered only when it has become clear that the principles of policy laid down by the Imperial Government have become so firmly established and the powers of the Central Authority to enforce their observance have been proved to be so effective that there is no danger of one community using its superior strength in the Council to impose its will on the other communities against their interests and desires.

The creation of an unofficial majority must be recognised as introducing a substantial change in the existing situation, and it is necessary to consider whether our plan does not involve the risk of deadlock between such a majority and an irremovable official executive with all the well-known difficulties which such a situation creates. We have indeed ourselves, in Chapter IV, accepted it as one of the lessons of colonial history that such a situation, if it persists, is intolerable, and must inevitably lead to responsible government as the only escape. If our plan involved any such danger it would, on our own arguments, be entirely inacceptable. There are, however, essential features in the present conditions, and in the form of unofficial majority to be set up by our proposals, which appear to eliminate such a danger. The very nature of this unofficial majority makes it reasonable to believe that, if it votes together on any issue, this can only be for the purpose, not of embarrassing the Government, but to give

genuine support to a particular measure. The combination of the different interests represented would be evidence of a strong public opinion in the territory, which it would be difficult for any Government to oppose even if it had an official majority. In the last resort there will be the power of the Governor to withhold his assent from, and the power of the Central Authority himself to certify*, any measure which it is considered necessary to reject or get passed in opposition to the unofficial vote. We intend indeed that the exercise of these powers shall be limited, and that they shall not be used except for the purposes which we have explained; but such powers, even though exercised only within these limitations, will give just the added safeguard which is required. For the way will be thus opened only for measures which have received the combined support of all the unofficial groups in the Legislative Council, and which in the opinion of the Central Authority do not violate any principles of Imperial policy. It can hardly be necessary to utilise official powers for resisting measures of this kind. At the same time, it must be clearly understood that it is an essential condition of our recommendations that the powers at the command of the Central Authority should be adequate to prevent any abuse of the system to be set up, and in particular to prevent the method of withholding supplies being used to paralyse the executive.

The safeguards which we thus claim to have provided in our plan against any abuse of its power by the unofficial majority, may perhaps from another point of view be regarded as so strong as to make the advantages offered illusory, even within the sphere over which the controlling powers of the Central Authority are not to be exercised. But the surrender of an official majority and the direct representation of native interests introduce an important change in the character of the Council. The division of parties will no longer be as in the past between the elected European members and the Government commanding a majority in the Council and acting as the main advocate of native interests. Under the new conditions there will be the possibility of various groupings on different questions, and where there is an issue between native and non-native interests, the argument will be between their two sets of representatives, the Government holding the balance between them. Such an arrangement will throw into much clearer relief the real nature of the political problem of Eastern Africa, which is how communities differing widely from one another in tradition, habits and stage of development can learn to live together in a single commonwealth. In so far as the unofficial representatives of the different communities succeed in reaching agreement they will, under the arrangements we propose, have increasing power to determine the

* *See* Chapter VI.

laws under which they shall live. In so far as they are unable to resolve their differences, it is to the advantage of all that the questions at issue should be settled by an impartial authority rather than by a trial of political strength, which must inevitably assume a racial character and give rise to increasing racial tension.

If it is said that the bare majority on the unofficial side which our proposals make is composed of such divers elements that there is little chance of the majority ever being effective, we should reply that it is in answer to this kind of objection that the basis and purpose of our plan can best be explained. The basis of our recommendations has, in fact, been the assumption that there are certain matters in regard to which the interests of all racial communities are the same, and one of our chief purposes has been to open the way to an increasing realisation by all parties of these common interests. We are in wholehearted agreement with the view expressed by the Parliamentary Commission* that " East Africa can progress economically and socially only on the basis of full and complete co-operation between all races." It is therefore from this point of view a definite advantage that representation should be so arranged in the first stage as to give the representatives of all the unofficial groups the strongest inducement to co-operate.

At the same time it must be remembered that what we are proposing now is intended definitely to be a first stage in a process capable of further development on the lines of an increase in the unofficial representation. This further development must be dependent in the first place on the firm establishment on a basis of practical experience of the Central Authority's power of control over policy for the purposes which we have specified. Until this is an accomplished fact and until the confidence of all parties in the Central Authority is established, we think it right that each community group in the Legislative Council should know that the power of the Government to protect its interests in the Legislative Council is not diminished. This will be the case according to our proposals because a combination of any of the three racial groups with the Government will command a majority.

Apart from this condition, further developments must depend very much on experience during the first stage. The plan which we are proposing must definitely be regarded as a trial stage, and each party must be prepared to stand by its record, knowing that the arrangement for the next stage must be regulated according to the experience gained in the first. What we look forward to is a progressive increase in the representation of native interests, as the number of individuals qualified to be nominated for this purpose increases, and a progressive diminution in the

* Cmd. 2387, pp. 22-3.

relative number of official representatives. Simultaneously with this, we look forward to a growing realisation of a community of interests between the Europeans and Indians as the representatives of the settled areas. Certain points bearing on this question will be made clearer in our discussion of the franchise position, while in the concluding section of this chapter we make an attempt to assess the effect of our proposals on the interests of the various communities.

### (4) Qualifications for the Franchise.

If it is intended that the local communities should have increasing responsibility for the conduct of the affairs of the Colony, it becomes a question of the highest importance to what classes or persons that responsibility should be entrusted. It is doubtful, as we have already pointed out (pp. 92-93, 105), whether the institution of modern democracies in the form which they have assumed in Europe and America will ever prove suitable to African conditions, and the day is certainly very remote when there can be complete democracy in Eastern Africa. Yet one of the most advanced features of modern democracy, adult franchise, has been introduced in Kenya with some precipitancy and without, as far as we can judge, full consideration of its ultimate results. One result has already manifested itself in that it has blocked the way to any agreed settlement of the Indian controversy. When adult suffrage was first introduced, only the European voter was in question, and it no doubt seemed reasonable to adopt a system which was steadily gaining adherents in Great Britain and has since become law in this country. But when it was decided to enfranchise the Asiatic communities, it at once became evident that free election on the basis of adult suffrage would give a predominant vote to those communities, and the natural consequence was the introduction of the communal system under which the electors of the three communities vote on separate rolls for candidates of their own race, and the number of representatives of each community is fixed roughly in proportion to its estimated political capacity and importance. We shall deal presently with the merits of the communal system: the point that we wish to emphasise here is that, without a radical revision of the franchise, the adoption of any other system was practically impossible.

This immediate result of adult suffrage is, however, of minor importance in comparison with its possible ultimate consequence in connection with the political future of the detribalised natives. We have shown in Chapter II that a comparatively rapid advance is to be expected in the civilisation of the African races. That advance is likely to be most rapid among the natives who are permanently settled in the white areas and are brought into the closest contact with white civilisation. We have proposed else-

where (page 75) that an opportunity for political progress should be provided for the natives in the reserves by gradual evolution from their old tribal organisations, but the detribalised native can take no part in that evolution, and he will sooner or later demand a place in the political system of the settled areas in which he lives. The demand will be very difficult to resist if he finds that the Indian, for instance, with whom he enters into competition in various occupations, obtains the franchise not by special qualifications but by mere adolescence. Yet if the claim were admitted all the immigrant communities would eventually be overborne by the sheer weight of numbers of the Africans, for even in the settled areas they represent already, and must always represent, an enormously preponderant majority.

It may be thought that it will be possible to keep the representation of the natives within due limits by an extension of the present communal system, and this is one of the arguments advanced in favour of that system. But with such a great disproportion in numbers we fear that this would prove an illusory safeguard. When the adult African realised that his vote carried a weight equivalent to, say, only 1/50th of that of the adult European, he would be bound to assert a claim to larger representation.

It has also been suggested that adult suffrage might be maintained for Europeans, and a higher franchise applied to other communities. The Governor of Kenya has represented to us that this would not be a satisfactory arrangement in the case of the Indians because it would lead to further agitation for the removal of this form of racial discrimination, and in course of time the same objection would be likely to be raised by African claimants to the franchise.

We have come to the conclusion, therefore, that the retention of adult suffrage, even for Europeans alone, will lead to insuperable difficulties and we recommend that this system should be abandoned before it has taken deeper root and be replaced by a different type of franchise. In considering the type of franchise suitable for mixed states in Africa it is necessary to discard some of the analogies furnished by the modern democracies of Europe and America. Those democracies are based on the principle that the ultimate power resides in the adult population, and the constitutions are generally designed to secure that the acts of the Government conform to the wishes of the adult majority. The tendency of modern times has consequently been in the direction of adult suffrage. We have already shown (page 105) that the vote of the majority cannot safely be allowed to decide questions in Eastern and Central Africa which affect conflicting racial interests. There can be no mere counting of heads when the heads are of such different types. The present constitution attempts as we have said to give to each community representation in proportion to its political capacity and importance. But it does so on an

arbitrary basis which has been a source of dispute in the past and has no element of stability for the future.

The whole system of government in Eastern Africa, as in the greater part of the rest of the continent, is based on the assumption that the African races are in the position of minors, and must consequently be treated as wards. But the wards will in the course of time grow up, and it is already necessary to guard against proceeding blindly without taking any account of this possibility.

As regards the main body of the natives, the essential feature of our general plan is that they should be given opportunities for political development under their own traditional leaders within native areas, and that this development should be carried as far as possible on distinctly native lines in a process of continuous evolution from the forms of political and social organization which are natural to them. We have made proposals for the representation of the interests of these natives in the Legislative Councils and for the measures to be taken both for instructing them and for obtaining their views as to Government policy. Our proposals do not provide a final plan and must be gradually developed further, but it is our view that the more completely provision can be made for a distinctive form of native political development, the better will be the prospect for the harmonious progress of mixed states. It is, however, also necessary to take into account the number of natives who will inevitably—as a result of their employment, in the interests of the immigrant communities, in Government offices, on railways, farms, and in other ways—become detached from their tribal organization and permanently domiciled in the settled areas. A time is bound to come when some of these natives will have reached a stage at which their education and capacity are equal to the average level among the immigrant communities. When that time comes discrimination on purely racial grounds cannot fail to give rise to racial antagonisms. Hence, quite apart from the question which will be considered later—whether it is best that the different communities should vote on a common register—it is necessary to be ready to meet the demand that the franchise in the settled areas should be extended to all races on equal terms. This is a reaction which those who press for self-government through representative institutions inevitably bring upon themselves and they must be prepared to meet it. In our view these considerations point clearly to the need, in the conditions which exist in Eastern Africa, for a type of franchise which may be described as a civilisation franchise, to which any British subject in the settled areas could equally attain.

It is very difficult to devise any satisfactory test of civilisation, and we are not at present prepared to make definite recommendations as to what the test should be. Standards of civilisation for this purpose are normally gauged by education and the possession of

property. Experience in other countries seems to show that it is difficult to apply a high educational test to the general voter. In the case of natives in the territories which we are considering, it might be easier to apply an effective educational test than elsewhere, because the Government can exercise so close a supervision of all schools that it might be possible to check educational attainments according to a uniform and reliable standard. If literacy alone is not considered a sufficient test, it might be possible to demand as an additional qualification a general certificate as to character and intelligence. Some arrangement of this kind might prove practicable in early days. But as a more permanent safeguard it would probably be necessary to rely on a combined educational and property test. We recognise that the tendency of modern democracy is to abolish or reduce such qualifications. But we must again emphasise the special nature of conditions in Eastern Africa. Even in the settled areas in Kenya only a small minority of the population can give an intelligent vote, and the interests of the large majority must continue to be represented by officials or by non-officials specially nominated for this purpose. In such circumstances the standards adopted for popular representation in more advanced countries are quite inappropriate.

As we have already stated, we are not able to make any definite proposals as to the precise qualifications which should be prescribed. The point that we wish tc emphasise is the danger of drifting with the present system of adult suffrage and the need for reform. We recommend that the High Commissioner should make an early inquiry into this subject. The absence of any common policy in the African territories under British administration is but another illustration of the need for further co-ordination. Thus in Northern Rhodesia—the only other territory within our terms of reference where there are elected members on the Legislative Council—the system is entirely different. The Northern Rhodesian system might well be taken as the starting point for the inquiry which we suggest. In that territory there is a common roll for all British subjects, but the following qualifications, *inter alia*, are required of electors :—

(a) *Property.*—Occupation of a house, warehouse, shop, etc., of the value of £250, or ownership of plant or tools to the value of £250, erected or situated on a block of reef claims, etc., or receipt of salary or wages of not less than £200 per annum.

(b) *Education.*—Ability to fill up the form of application in his own handwriting, and ability to write from dictation 50 words in the English language.

It is noteworthy that the recent Local Government Commission in Kenya has found it advisable, while adhering to the communal arrangement, to recommend a property qualification for both European and Indian voters.

The question of the franchise qualification is clearly connected with another matter of great importance in connection with the Kenya franchise—namely, the Indian claim to a common franchise. We have reserved this for special treatment in a separate chapter.

## II. Association of the Immigrant Communities in the Executive Work of Government.

We have been concerned thus far in the main with the legislative side of government. Legislation is, however, only a part of the business of government, and the strength and efficiency of the executive is sometimes of even more importance to the well-being of the people than legislative measures. We have therefore to consider how far it is possible to associate the immigrant communities more closely with the executive side of government. Two suggestions have been brought to our attention, both of which deserve consideration.

The first is that to some at least of the departments of administration there should be attached advisory committees. An Advisory Committee on Native Education is already in existence in Kenya. We have suggested the possibility of appointing an Advisory Committee on Native Affairs. There may be room for similar committees in connection with other departments.

The importance and functions of such committees in the system of government are well stated in the *Report of the Machinery of Government Committee* issued in 1918 (Cd. 9230, pp. 11-12) :—

> " The preservation of the full responsibility of ministers for executive action will not, in our opinion, ensure that the course of administration which they adopt will secure and retain public confidence, unless it is recognised as an obligation upon departments to avail themselves of the advice and assistance of advisory bodies so constituted as to make available the knowledge and experience of all sections of the community affected by the activities of the department."

The Report enumerates a number of such advisory bodies already in existence in England, and points out that the precise form of organization that is most suitable will always depend upon the nature of the business of the department to which the advisory body is attached. The Report concludes :—

> " So long as advisory bodies are not permitted to impair the full responsibility of ministers to Parliament, we think that the more they are regarded as an integral part of the normal organization of a department, the more will ministers be able to command the confidence of Parliament and the public in the administration of the services which seem likely in an increasing degree to affect the lives of large sections of the community."

The setting up of such advisory bodies in Kenya would serve a double purpose. It would give the administration a better understanding of the way in which the policy of a department was affecting different interests and thereby enable it to avoid courses which would give rise to needless irritation. It would at the same time bring representatives of the public into touch with the problems and difficulties of administration and enable them to understand better the purposes of Government, while the knowledge that their representatives were consulted and had an opportunity of putting forward their views would tend to inspire public confidence in the administration. It is, of course, assumed that the point of view of all communities, including the natives, would be represented on such committees.

It is important, however, that the advisory character of such committees should be put beyond question. They must not be allowed to impair in any way the full responsibility of the head of a department for its administration. For this reason it seems better that they should be advisory committees appointed by the Governor rather than standing committees of the Legislative Council. For one thing, this plan makes possible the inclusion of a greater variety of expert and other opinion than if membership were confined to members of the Legislative Council. What is still more important is that it is less open to the danger of any attempt to use the committees as a means of controlling administration.

The second suggestion is that one or more non-officials should be appointed to be ministers responsible for some of the departments of administration. At present there are on the Executive Council two European elected members of the Legislative Council, the European member of the Legislative Council nominated to represent native interests, and one Indian. We have already pointed out that this arrangement is open to objection because the non-official members are under no obligation to support the Government. A proposal was put before us while in Kenya that the European members should be replaced by two ministers who would undertake this obligation, and would in fact become members of a cabinet. The proposal is at first sight attractive, for there are men settled in the Colony whose long experience might be of great value to the Government in the work of administration. Moreover, such an arrangement might give the unofficial community a better understanding of the responsibilities and difficulties of administration, while the two unofficial ministers would be able to expound and defend the Government's policy to the public at political meetings—an opportunity which is at present denied to the Government, and the lack of which is felt.

There are, however, certain serious practical difficulties in this plan. In the first place it is very doubtful whether the best men

would be willing to accept such appointments. They would hold the position of temporary officials, and would have to resign their seats as elected members of the Council. They would be exposed to the charge of surrendering their convictions for the sake of office, while they would have to share the responsibility for any measures adopted by the Government, however unpopular, and thus run the risk of losing ground politically. Moreover, their position could not really be that of members of a cabinet in the ordinary sense of the term. The Executive Council is in practice no more than an Advisory Council, as the Governor is at liberty to disregard their advice, subject only to the obligation to report such action to the Secretary of State. Such a position would not seem to offer to a keen politician sufficient compensation for the temporary, and possibly permanent, loss of his political career.

In the second place the relation between a minister and the officers of the departments of which he was in charge might give rise to difficulties. The other members of the Executive Council and the officers of the departments with which they are concerned are all subject to the orders of the Governor. If certain departments were placed under the control of ministers not subject to the orders of the Governor, this might lead not only to inter-departmental friction, but also to friction between the ministers and the permanent heads of the departments under their charge. The only remedy would be to place the ministers under the orders of the Governor, in which case their functions in the administration would be precisely the same as those of permanent officials. In fact, if our view is accepted, that the Executive in Kenya cannot be made responsible to the Legislature, but must remain under the control of the Secretary of State, it seems clear that the Executive must remain supreme over all departments and cannot share its powers with unofficial ministers.

We arrive at the same conclusion when we consider possible future developments of the proposal. If two ministers were appointed at first, a demand would naturally arise later for an increase in their numbers and eventually for a majority of seats on the Executive Council. When that stage was reached, there would be plausible ground for allowing the vote of the majority to prevail, and the Executive would then become practically responsible to the Legislature. The proposal thus appears to be dangerous, as being the thin end of the wedge which might in time disrupt the whole system of Imperial control.

*For these reasons we are unable in present circumstances to recommend an arrangement of the kind proposed. But the benefits of enlisting local experience and ability in the work of govern-

* The Chairman dissents from this paragraph. *See* his Additional Recommendation (page 244).

ment are so obvious that we think that the subject might with advantage be considered afresh after the Central Authority has become firmly established.

### *III.—Review of General Effect of Proposals.

In framing a plan we have at all points asked ourselves whether it takes fair account of the just claims of the various communities. As we have on several occasions pointed out, our actual proposals for the first stage are only intended to be a step in what may prove to be a continuous process of development, and in order to make clear our intentions, it may be useful to give some statement of what we consider to be the just demands which the process should be designed to meet.

Dealing first with the European community, it appears to us that the substance of what is really needed, and therefore of what can reasonably be claimed, would be covered if the following could be secured to them :—

(*a*) The right to effective representation on matters affecting their taxation, sufficient to give them power to check extravagance in Government expenditure;

(*b*) Protection against legislation or administrative policy which would fundamentally change the economic conditions on the basis of which they settled in the country;

(*c*) A right to have their representatives consulted on all questions affecting the government of the country (including native affairs and other matters reserved for control by a higher authority);

(*d*) An opportunity for political self-expression, which will enable them to stimulate efficiency in the public services. In this connection it must be admitted that as a corollary to the retention of an official executive which is independent of the legislature, the community as a whole has the right to demand that the Imperial Government which really controls the executive should do its utmost to make the official executive efficient.

As regards the first point—the prevention of extravagance in Government expenditure—it is on just such a matter that it should be possible for the unofficial representatives to co-operate. If they do so, then, even in the first stage of our proposals, unless some principle of racial interest or wider Imperial policy is involved, they will be able to out-vote the Government and their decision will be final.

As we have already noted, it may be contended by the European community that the unofficial representatives in the Legislative Council, according to our proposals, will be of so mixed a

* The Chairman dissents from this section to the extent stated in his Additional Recommendations (page 244).

nature that it is hardly likely that they will ever combine and that in effect the Government will be in just as strong a position as before. We trust that this contention will prove to be incorrect, but the working of our proposals must be tested by experience and the composition of the Legislative Council must be reconsidered in due course. As a guide to the purposes which should then be kept in view, we wish to state quite clearly that the power to regulate expenditure, provided that it is used for genuine purposes of checking Government extravagance and not abused as a means for bringing about a deadlock for other purposes, is one which should rest with those who have to bear the burden of taxation.

The control of the Central Authority is not, according to our plan, intended to be used to interfere with the proper use of such a power, but only to prevent its being used as a weapon for other purposes, or to ensure justice as between the various races.

If the principles for regulating native taxation and applying its proceeds to native services which we have advocated in Chapter III can be embodied in a practical programme, it ought to be possible to create a correspondingly clear field for taxation and services in regard to non-natives. It might then be possible to devise means for giving the immigrant communities a more decisive vote in these matters. The possibilities in this direction should be explored and sympathetically considered by the Central Authority.

As regards the second heading in the list which we have given of just claims, the proposal which we have made for securing continuity of policy by the establishment of an East African Council in London, so composed as to possess the confidence of all parties, ought to afford a considerable measure of security. This security will be increased by our further proposal that periodical conferences for the consideration of policy, at which the unofficial parties would be represented, should be held in London. A further safeguard will be the representation of the unofficial communities on the Advisory Council to the Central Authority. Lastly, the greatest safeguard of all will be that the Governor-General, who is in a large measure to exercise the supervision and control hitherto exercised by the Secretary of State, will be in close touch with local conditions and always accessible to the representation of the unofficial views.

As regards the third claim—the right to have their representatives consulted on all questions—this is clearly preserved by our proposals. The fact that we do not propose any division of subjects as between the Central Authority and the local Governments means that all subjects can and will be debated in the local Legislative Councils. Moreover, as previously noted, representatives of the unofficial communities will be consulted on the Advisory Council of the Central Authority.

As regards the fourth point—the power to stimulate efficiency in the public services—we must admit that our proposals contain no striking measures for this purpose. We believe, however, that they will in practice prove effective and that the closer contact with the Central Authority will in the end prove to be of great assistance for this particular purpose.

We believe that if all parties honestly co-operate to make the most of the opportunities that will be provided by our plan and to promote the public good, not only will the actual steps now proposed prove effective but the way will be made easier for further steps to be taken. No door is finally closed by our recommendations on any line of political advance, but it will be for those who claim the right to advance to prove that they are worthy of the confidence which this would involve.

If we turn from the position which has been created for the European representatives to that of the Indian community, we think that here also provision has been made for meeting all just claims. The Indian community will, in fact, have just as sure a protection of their rights as was available for them before, while they will have open to them a greater opportunity for playing a constructive part in shaping the destinies of the country.

As regards their protection from possible injustice, when the official majority is removed, they can rely on the protection of the Central Authority, which is the agent of the Imperial Government, to see that justice as between races is done and which will have the power to do so. Further, in the first stage of our proposals and until the powers of the Central Authority have been clearly demonstrated in practice, they will have the additional security that although the official majority in the Kenya Legislative Council is to be removed, this change will not affect the power of the Government to protect their interests, inasmuch as if they vote with the Government they cannot be out-voted by the other parties.

Turning lastly to native interests, the position here again will be improved inasmuch as there will be an important group in the Legislative Council with the definite duty of acting as advocates of such interests. At the same time the power of the official members to protect native interests will not be diminished because if they vote with the native representatives they will command a majority. Over and above this, what is, according to our intentions, the greatest protection of all is that a Central Authority will be created to study and work out a strong and constructive native policy, for which task the freedom from preoccupation with daily administrative details and the power to take full advantage of the combined experience of all three territories will be of the greatest assistance.

## CHAPTER IX.

## THE INDIAN CLAIM TO A COMMON FRANCHISE.

We have advocated the raising of the franchise qualification in Kenya on the broad ground that a civilisation test is best suited to conditions in Eastern Africa. This will simplify the problem of conceding political rights to detribalised natives in the settled areas when the demand is made, as it will undoubtedly be made some day, for such rights. The fixing of a uniform franchise qualification for all races is a quite separate question, as has been pointed out, from the question whether the different communities should vote on a common register or be represented communally. It has none the less an important bearing on the long-standing controversy on the question of communal representation, and we turn now to the consideration of that question. In the territories where there are no elected members of the legislature the question naturally does not arise and there is, generally speaking, no serious friction between Europeans and Asiatics in those territories. It is in Kenya alone that an acute controversy has arisen. It had its origin, as we have already indicated, in the exclusion of the Indians from the franchise granted to the Europeans in 1919. The protests of the Indians in Kenya at this exclusion were strongly supported by public opinion in India.

The history of the subsequent negotiations was detailed in the White Paper of 1923* and need not be repeated here. We reproduce, however, the relevant passages of the terms of settlement which the Secretary of State was prepared to accept, based on an agreement between the Colonial Office and the India Office as recorded in what is known as the "Wood-Winterton Report." These terms were detailed as follows in a telegram despatched by the Secretary of State to the Governor of Kenya, in September, 1922 :—

> "(i) *Franchise.*—A common electoral roll for all British subjects and British protected persons (male or female) aged 21 years and upwards, possessing qualifications which were to be prescribed.
>
> "(ii) *Qualifications.*—Either a complete census or a test census to be held in order to determine a method of adjusting qualifications which would approximately result in a ten per cent. Indian electorate. To obtain this percentage it might be necessary to adopt alternative property or educational qualifications instead of a combined qualification. Should the census show that in order to get the ten per cent. the qualification standard would obviously be unreasonably low, reasonable

* Cmd. 2904.

standards would be laid down irrespective of the resulting percentage. Qualifications are to be settled in time to enable the new Indian electorate to vote at the general election in March, 1923. European voters already on register would be admitted to the new register whether or not in possession of the new qualifications, but all fresh applicants for registration, whether Europeans not registered under the Legislative Council Ordinance, 1919, or Indians, would be required to possess these qualifications.

" (iii) *Constituencies.*—The official majority to be retained. Alternative proposals as follows :—

(*a*) Eleven elected members representing seven constituencies, three of which to return one member and four two members. In the former, European candidates only to be qualified for election; in the latter, there would be one European seat and one Indian seat, giving a total of seven Europeans, four Indians.

(*b*) The India Office suggested that there should be 12 elected members representing four constituencies, each constituency returning three members, or, alternatively, 11 elected members, representing four constituencies, of which three would return three members and one would return two members. One seat in each constituency should be Indian, the rest European, giving eight or seven Europeans according as the total were 12 or 11 elected members and four Indians. This alternative (*b*) would not prejudice the position of the Europeans, and might be more acceptable to the Indians. The Government of Kenya to examine and report upon the possibility of giving effect to alternative (*b*), but the reply to the telegram not to be delayed for that purpose."

As stated in the White Paper, " the Government of India were willing to accept the scheme although they did not consider that it fully met the claims put forward on behalf of the Indians. The Government of Kenya rejected the scheme mainly on the ground that it gave no sufficient safeguard to the European community against Indian predominance in the future." Further attempts to secure agreement were unsuccessful, mainly owing to the opposition of the European community, and in July, 1923, His Majesty's Government decided that the interests of all concerned in Kenya would best be served by the adoption of a communal system of representation. Under this decision provision was made for five elected Indian members on the Council, as against 11 elected Europeans, and the number of official members was fixed so as to maintain an official majority. This decision did not prove acceptable to the Indian community and only one candidate came forward

for election. The remaining four vacancies were until recently filled by nomination.

The controversy involves more than local interests. It has aroused deep feeling in India. Stirred by new political aspirations, India is keenly sensitive to the position of Indians overseas. The new race consciousness which is making itself felt throughout Asia confronts British statesmanship with the difficult problem of finding room for the operation of this new force without endangering the structure of the British Empire. A happy solution of the controversy in Kenya is thus an interest not only of Eastern Africa but of the Empire as a whole.

We have had the advantage of full discussion of the issues involved with representatives of both the European and the Indian communities, in which the latter were assisted by two officers deputed by the Government of India for this purpose, Kunwar Maharaj Singh, C.I.E., and Mr. R. B. Ewbank, C.I.E. We desire to express our acknowledgments to these two gentlemen for their able and helpful co-operation in elucidating the Indian point of view.

The Indians do not claim representation in proportion to their numbers; what they ask for is effective representation of their interests, and equality of political status. We understand that their main objection to the present system of communal representation is that, in their view, it conveys the implication that they are inferior to the white immigrants and is therefore galling to their self-respect. In order to remove this implication they were prepared to accept the proposal in the Wood-Winterton report to admit not more than one-tenth of their numbers to the franchise. In fact they seek, not political domination, but the recognition of their right as British subjects to equality of treatment with other British subjects within the Empire. They contend that their position in Kenya is inconsistent with the resolution quoted below which was adopted at the Imperial Conference of 1921 by the representatives of all the Dominion Governments, except South Africa:—

> "The Conference . . . recognises that there is an incongruity between the position of India as an equal member of the British Empire and the existence of disabilities upon British Indians lawfully domiciled in some other parts of the Empire. The Conference accordingly is of opinion that, in the interests of the solidarity of the British Commonwealth, it is desirable that the rights of such Indians to citizenship should be recognised."

The European representatives who appeared before us did not base their opposition to the Indian claims on any narrow ground of racial prejudice. As pioneers of British civilisation, their ideal

is to create a political unit in Kenya modelled on British institutions and embodying British principles and standards of efficiency in its administration. They are afraid lest the admission of the Asiatic vote on the same terms as the European might lead in the end through superiority of numbers to the control of their interests and institutions passing into the hands of another race, and they are not satisfied that an initial limitation of the strength of the Asiatic vote is a safeguard that can be permanently maintained.

In considering the difficult questions thus raised we must begin by noting that, if the main principle on which our Report is based is accepted, the issues involved will be reduced to smaller dimensions than they would assume if the goal of political evolution were the transfer of complete authority to an electorate in Kenya.

According to this principle the British Government must retain responsibility both for the advancement of native interests and for holding the scales of justice even between the various racial communities; and if our view is accepted that, in order to discharge these responsibilities, the ultimate authority must be retained in the hands of the Imperial Government, questions relating to the composition of the electorate are no longer charged with the same far-reaching significance. For in that case another, and in our view far stronger, bulwark is provided for the maintenance of British rule than is furnished by any safeguards that can be devised for maintaining the British character of a local electorate. And, on the other hand, the question, so far as the Indians are concerned, is no longer one of securing an adequate share in a local electorate which is the ultimate and sole repository of power, but merely one of being sufficiently represented to be able to make their views known and to contribute their experience to the Government of a territory in which the final decisions in racial issues are reserved to the Imperial Government.

It is from this standpoint that we must review the arguments for the communal system of representation and for the common roll.

In favour of the communal system of representation it is maintained that it is best suited to the actual facts of the situation. The immigrant communities in Kenya are at different stages of political development. Although the economic interests of the three communities are intermingled, their political ideas, based upon religious and racial differences of mind and temperament, with their consequent linguistic and social barriers, are not mingled, but are peculiar to each community. Representative institutions are in the main an Anglo-Saxon creation. There are other countries in Europe where they have proved less successful or have not worked at all. Success in working them appears to depend more on an innate readiness to accept a compromise and a dislike to pushing things to extremes than on natural ability and education.

Again, it is held that the complete abolition of the communal system might involve grave risks in the present state of racial feeling

in Kenya. If European and Asiatic candidates were to compete against each other at the polls, racial antagonism might easily be inflamed, and such conditions would be even more favourable to the election of men of extreme views than the communal system is alleged to be. A further danger which might arise under such conditions is that a less desirable type of candidate, whether European or Indian, in order to gratify his political ambitions might be tempted to seek votes by pandering to the weaknesses of the other race, thereby arousing the indignation of the better elements in his own community, and increasing racial bitterness.

Finally, the present numerical preponderance of the Indian community and the possibility of its increase awakens the apprehensions of the European community lest in the course of time political control in Kenya may pass to a predominantly Indian electorate, and then on the same principle to an electorate in which the majority of voters are native. Until these fears are set at rest there can be no satisfactory solution of the difficulty.

It is argued, on the other hand, that the communal system offers little room for political progress. While securing the representation of different interests it does little to reconcile them. It tends rather to promote the election of men of extreme views who will emphasise the differences. The different communities in Kenya can only attain to healthy political life if they learn to compose their differences and seek the common good. The surest foundation for a stable constitution is community of interests rather than a nice adjustment of opposing forces. The communal system, where it has been tried, has tended to accentuate differences and prevent the growth of a healthy political life. It has been strongly condemned, for instance, in the recent Report* of the Special Commission on the constitution of Ceylon. The determining consideration in a sound political system should be not the immediate interests of particular communities, but the ultimate good of the whole territory. The electoral system should be framed on lines which will enable all the communities to progress in harmony towards that ultimate good. The leadership, to which it is claimed that the European community in virtue of its greater political capacity is entitled, will never be secure until it rests on consent and not on privilege. If the European is to lead the other communities in Kenya, he must study their needs and their susceptibilities, and he must be prepared to convince them that he is the best representative of their interests in the administration of the State. Similar considerations apply to the Indian candidate. If he is to establish his claim to participate on equal terms with the European in the government of the country, he must study the European point of view and learn to

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* Cmd. 3131.

co-operate with the British in their zeal for efficiency of administration.

The dangers of inter-racial contests in elections, if the common roll were adopted, can be obviated by retaining the present system of reserving a fixed number of seats for each of the communities. The risk of a large increase in the Indian population and of a consequent enhancement of their political demands is minimised by the fact, to which attention has already been called, that immigration is likely to be held in check by economic forces. If it should increase largely in spite of these forces, it would probably be detrimental to the economic interests of the natives, who are the main competitors of the Indians, and a case would then arise for implementing the undertaking given by His Majesty's Government to impose the necessary restrictions. It must be recognized that this is not an absolute safeguard for the European community, but it is equally open to doubt whether the communal system would afford any more adequate protection, especially if the present adult franchise is retained. If there were to be a large influx of Indians, it would provoke comparison of the number of voters on the Indian electoral roll with those on the European roll, and would inevitably lead to demands, which it would be difficult to resist, for an increase in the number of Indian representatives in the legislature.

It is hardly to be expected that an amicable settlement of this long-drawn controversy can be achieved by a mere statement and analysis of the arguments, many of them theoretical, on either side. Neither of the parties is disposed to accept a verdict, however impartial, based on such arguments alone. Yet a settlement by consent is essential if there is to be harmonious co-operation among all parties in carrying out the plan which we recommend.

We doubt whether the conditions at present exist for an agreed settlement of a question beset with so many difficulties and complicated by feelings evoked by past controversy. We believe that the question can be examined afresh more hopefully when the local communities have had time to accustom themselves to the changed conditions which will be brought about if effect is given to the proposals contained in our Report. We may note some of the ways in which the problem is likely to be affected by our proposals.

In the first place, issues involving fundamental racial interests must, in our view, be determined in the last resort not by voting strength in the Legislative Council, but by an impartial tribunal representing the Imperial Government. If this principle is accepted, and its value demonstrated in practical working, it will be easier for the different communities within the accepted framework of ultimate Imperial control to co-operate in the promotion of the common interests of the Colony. It may be expected that the question of communal representation or a common roll will

then come to be regarded more as one of practical convenience and advantage than as one in which racial safety or racial honour is involved.

Secondly, experience of the working of the groups representing different communities in the Legislative Council may be expected to shed fresh light on the problem. It may be found that the important questions in the life of the Colony have to do with the relations between the interests of the settled areas and those of the reserves, and that the immigrant communities have certain interests in common, and this may give a fresh setting to the whole problem.

Thirdly, the subject may present itself in a quite fresh light if effect is given to our recommendation that the franchise qualification should be revised.

In fact it would be practically impossible to introduce a common roll until that has been done because, as we have pointed out, the communal system of election is almost a necessary corollary to adult suffrage.

If, for example, the Kenya franchise were revised on the lines adopted in Northern Rhodesia, the electoral roll would present a very different picture, and it is not improbable that the number of qualified Indian voters would be found to be far less formidable than the European community apprehends. Moreover, it is only in a few constituencies that the Indian vote is important. The reservation of the highlands for European farmers ensures the election of Europeans to represent the agricultural community in those areas. We have been furnished with figures showing the weight to which the Indian vote would be reduced in the various constituencies if not more than 10 per cent. of the population were admitted to the franchise as suggested in the Wood-Winterton report. These figures are in some respects conjectural, but, so far as they go, they indicate that, if there was no reservation of seats, an election on a common roll on this basis would probably not produce more than four Indian members, viz., one each for Kisumu, Mombasa and the Coast district, and possibly one for Nairobi. If a similar result were to be produced by revision of the franchise on the lines that we recommend, it might well be found that, under a system of free election, the result would be satisfactory to both sides.

*Our view is that, inasmuch as the progress of the territory must depend on co-operation between the races, the ideal to be aimed at is a common roll on an equal franchise with no discrimination between the races. It is at the same time clear that this ideal can be realised only by consent, and that the consent of the European community can only be obtained if they are given a feeling of security that their interests and institutions are not in

* The Chairman dissents from the following sentence. *See* his Additional Recommendations (page 244).

danger of being overwhelmed by the mere numbers of the other communities. Such security cannot be provided on the basis of adult suffrage. The first step, therefore, would seem to be that before new franchise qualifications are fixed, the High Commissioner should institute a test census or some other form of enquiry to ascertain for each constituency the approximate number of persons of each racial community possessing the proposed qualifications. It will in any case be necessary to obtain this information before the question of revising the communal system of election is taken up. It is only fair that both Europeans and Indians should be given an opportunity of seeing how any scheme of revision would work out in practice before they are asked to accept it. The figures should then be laid before the leaders of both communities, and fresh attempts made to see whether agreement can be reached in regard to a question which has hitherto kept the races apart. It may be that the revision of the franchise will not in itself effect a reconciliation of the differences of view. Our hope is, however, that our Report may suggest fresh lines of approach to the political problem of Eastern Africa, and that its recommendations, if carried into effect, may contribute to the growth of a spirit of co-operation, which will make it possible for the whole question to be considered in a more favourable atmosphere and will increase the chances of some plan being devised which will do justice to the legitimate interests of both communities and meet with general consent.

## CHAPTER X.

## RELATIONS BETWEEN THE CENTRAL AUTHORITY AND THE LOCAL GOVERNMENTS.

### Immediate Proposals and Future Developments.

It is necessary now to explain somewhat more fully the relations, as we conceive them, between the Central Authority and the territorial Governments.

The main grounds on which we have advocated the setting-up of a Central Authority in Eastern Africa are, first, that it is essential that there should be a consistent native policy throughout the three territories, and also that in the framing of policy regard must be paid to conditions throughout the British Empire as a whole; secondly, that where, as in Eastern Africa, different racial communities are living side by side, questions in which their interests are opposed cannot safely or justly be left to be finally determined by a majority vote in an assembly in which the relative strength of parties is fixed by the constitution, but must be decided by a disinterested arbitral authority; thirdly, that there is need for the co-ordination of certain services of common interest to the three territories; and, fourthly, that the powers of supervision and ultimate decision which must for these reasons be retained in the hands

of the Secretary of State can best be exercised through an authority on the spot which will be accessible to local opinion and advice, while at the same time remaining in close touch with the Imperial Government.

The matters with which the Central Authority will be principally concerned fall naturally into three classes. First, there are questions, such as those affecting external relations, which are clearly the concern of the Imperial Government. Secondly, there are questions relating to native policy and involving the relations between different races. Thirdly, in regard to railways, customs, and other services the Central Authority may, in case the several Governments are unable to agree, have to make certain decisions in order to give effect to a co-ordinated policy designed to achieve the best result in their joint interests, exercising in this respect on behalf of the Secretary of State powers which in case of necessity the Secretary of State exercises at the present time.

Broadly speaking, the justification for the control by the Central Authority over the local Governments is to be based on one or other of two principal grounds, either, first, that it is exercised over subjects which, because they affect the interests of the British Empire as a whole, or of the adjoining territories under British administration, ought not to be regulated by one territory alone; or, secondly, that it is exercised for the purpose of ensuring observance of obligations for which the Imperial Government is responsible (inter-racial justice and trusteeship for the native). These two grounds have a close connection, and any particular administrative or legislative act may require outside supervision on both grounds.

What we have to consider in the present chapter is how the powers of the Central Authority are to be exercised, and to distinguish between the field for their exercise for any or all of the purposes mentioned, and the field in which real responsibility is to be left to the territorial Governments.

It may help to make clear the position if we consider the exercise of these powers in their relation to administration, finance, and legislation. It is the intention of our proposals that their exercise in all three cases should be definitely limited to what is necessary for fulfilling the special functions of the Central Authority as defined above.

As regards the control of administration we must refer to what we have said (in Chapter VI) as to the special reliance which must be placed on the discretion of the Governor-General in the exercise of his powers. As he will be dealing in all three territories with an official executive, no difficulties in procedure will arise, and the whole position is one for personal arrangement between himself and the Governors. But we must again emphasise that, in the sphere of administration as well as of legislation, the maximum scope should be left to the territorial Governments. All the remarks which are made in the subsequent paragraphs as to the need for

defining in practice a sphere within which there will be no interference with the legislative activities of the territorial Governments apply equally to their administrative responsibilities.

As regards the special field of finance, the provision of supplies is, according to the constitutions of these territories, a matter for legislation. Therefore, so far as concerns procedure, the exercise of financial powers requires no special treatment. Nevertheless, their exercise is a matter of such significance that we must reserve it for special consideration after dealing with the relations between the Central Authority and the territorial Governments in the general field of legislation.

With regard to the first of the three classes of legislation with which the Central Authority will, as explained above, be concerned, it is not necessary to introduce any change in the method of control exercised over the territorial Governments. The Governor's power to assent to Bills dealing with certain specified matters of this kind is limited in each case by special provisions in his Royal Instructions. It will be necessary, before relinquishing the official majority in the Kenya Legislative Council, to consider whether the list of subjects for legislation covered by this clause should be enlarged. The clause in the Royal Instructions for Kenya runs as follows :—

> " XXXIV. The Governor shall not (except in the cases hereunder mentioned) assent in Our name to any Bill of any of the following classes, namely :—
>
> " 1. Any Bill for the divorce of persons joined together in holy matrimony :
>
> " 2. Any Bill whereby any grant of land or money or other donation or gratuity may be made to himself :
>
> " 3. Any Bill affecting the currency of the Colony or relating to the issue of Bank Notes :
>
> " 4. Any Bill establishing any Banking Association, or amending or altering the constitution, powers, or privileges of any Banking Association :
>
> " 5. Any Bill imposing differential duties :
>
> " 6. Any Bill the provisions of which shall appear inconsistent with obligations imposed upon Us by Treaty :
>
> " 7. Any Bill interfering with the discipline or control of Our forces by land, sea or air :
>
> " 8. Any Bill of an extraordinary nature and importance whereby Our prerogative or the rights and property of Our subjects not residing in the Colony, or the trade and shipping of the United Kingdom and its Dependencies, may be prejudiced :
>
> " 9. Any Bill whereby persons not of European birth or descent may be subjected or made liable to any dis-

abilities to which persons of European birth or descent are not also subjected or made liable :

"10. Any Bill containing provisions to which Our assent has been once refused, or which have been disallowed by Us : unless the Governor shall previously have obtained Our instructions upon such Bill through one of Our principal Secretaries of State, or unless such Bill shall contain a clause suspending the operation of such Bill until the signification of Our pleasure thereupon, or unless the Governor shall have satisfied himself that an urgent necessity exists requiring that such Bill be brought into immediate operation, in which case he is authorised to assent in Our name to such Bill, unless the same shall be inconsistent with any obligations imposed on Us by Treaty. But he is to transmit to Us, by the earliest opportunity, the Bill so assented to, together with his reasons for assenting thereto."

In the case of Bills covered by this clause and the corresponding clause in the Royal Instructions for the other territories, His Majesty's instructions through a Secretary of State will still be necessary, but the Bills should be forwarded to the Secretary of State through the Governor-General, who would add his observations.

It will be convenient to deal next with the third class of the Central Authority's functions because they are analogous to the first class in that the primary reason for their exercise is that they are concerned with matters which affect the interests of more than one territory. In the control of services of common interest, the Central Authority will really have a dual duty to perform in that he will have to co-ordinate policy in the common interest of the three territories as well as to protect racial interests. In the case of railway policy, for instance, we have shown first that co-operation rather than competition is necessary both in new construction and in the handling of the existing undertakings, which means that mutual adjustment is required between the three territories, and, secondly, that there may sometimes be a conflict between the interests of the native areas and the areas where non-natives have settled, both in the matter of railway construction and railway rates. Or, again, in the case of customs, the protective duties in force, say, in Kenya, may be regarded as unfair to the interests of Tanganyika and Uganda, while it is quite possible that some divergence of interests as regards tariff policy may develop between the settled areas in Kenya and the native reserves. The internal administration of the services of common interest should be left as far as possible to the local Governments, and the Governor-General should only intervene where this is necessary for the discharge of what we have described as his dual duty, but in

order to enable him to exercise the necessary supervision it is desirable that no Bills dealing with these services should be introduced by any Government without previous reference to him. An arrangement of this kind could be made by directions issued by the Governor-General, and no legal provision for it appears to be necessary. In the unlikely event of a private Bill being introduced in Kenya dealing with these subjects, the Governor would take the instructions of the Governor-General, and, if the Bill were regarded as objectionable, would prevent it from becoming law either by the use of the official vote or, if that failed, by refusing his assent.

As regards the subjects which should be dealt with in this manner, defence and research are hardly likely to require legislation. The services of common interest in regard to which legislation is more likely to be required are railways, ports and harbours, customs, and posts and telegraphs (including wireless telegraphy). There are also various other matters over which the Central Authority will need to exercise control in so far as they affect the interests of different territories. The following are instances of such matters :—quarantine regulations and other measures for preventing the spread of human, animal or plant diseases; registration of labourers in so far as it affects labour migrating from one territory to another. We would leave it to the Governor-General to frame a list of the subjects of this kind in regard to which he wishes to be consulted before legislation is introduced, and to extend the list as occasion arises.

In the case of the second category of the Central Authority's functions, viz., the direction and co-ordination of native policy and maintenance of justice as between divergent racial interests, the position is essentially different and no clear preliminary division between the spheres of the Central Authority and the territorial Governments is possible. The object in view is to maintain sufficient control for the above purposes, while at the same time leaving as large a field as possible to the local Government and within that field providing for an increasing opportunity for the initiative and responsibility of the local communities. This object cannot be secured by any method, (such as the form of diarchy introduced in India), of transferring certain subjects to unofficial control, because, as has already been explained, native or other racial interests may be affected by legislation on any subject. Consequently, the Central Authority must have legal power to intervene, if necessary, on all subjects, although in practice the exercise of this power will be confined to occasions where intervention is necessary for the maintenance of established principles or the protection of racial interests. No new powers are required in the case of Tanganyika and Uganda, but in the case of Kenya it is necessary, as we have pointed out, to create special powers of

certification. It might be urged that these are not required for the purpose under consideration, because, according to the composition that we have proposed* for the Legislative Council the official vote will be the balancing factor and will be able to command a majority when the representatives of the main racial groups are divided on any issue. It must always be remembered, however, that the Governor-General is responsible for co-ordinating native policy between all the three territories, and it might on occasion be necessary for him for this purpose to take account of considerations which might not be present in the minds of the representatives of native interests in the Kenya Legislative Council, while it is also possible that quite apart from such considerations he might dissent from their views. Our proposals for Kenya are, moreover, designed to provide a plan capable of further development in the direction of increased unofficial representation, so that the official vote in the Council might become a less decisive force. It is necessary, therefore, that the Governor-General should from the beginning be able to command these over-riding powers. The occasions on which it will be necessary to make use of them are, however, in the first stage, likely to be extremely rare. In all ordinary cases where the Governor-General finds it necessary to intervene he will be able to make his intervention effective by the instrument of the official vote.

The main difficulty is, consistently with the maintenance of central control for the purposes mentioned, to achieve our second objective, viz., the opening of a field for the initiative and responsibility of the local communities and to make clear to the latter what this field is, so that when the Governor-General does intervene, his action will not be regarded as an act of interference with their own legitimate responsibilities. The field, as we have shown, cannot be demarcated by any preliminary classification of subjects, and the definition of its boundaries can only be gradually revealed in practice.

The intention of our proposals is that some form of demarcation of responsibilities will emerge gradually from the clarification of the principles of policy which the Central Authority will feel it incumbent on him to enforce. We have suggested some general principles in Chapter III and have recommended various enquiries on the conclusion of which the Governor-General should be able to formulate a definite system of native policy. From this and from decisions in individual cases a clearly understood convention as to the division of functions may be expected to grow up. Instead of attempting to demarcate two fields of legislation and assign them to different authorities, we contemplate that the whole field should be open to the Legislative Council on the understanding that it must not infringe certain principles which are the special concern of the Governor-General.

When the essential principles of native policy have been defined and have also been exemplified by a series of decisions in special cases, it should be possible to settle finally many questions which are now the subject of debate and controversy. The debatable ground between the matters which must be decided by the Central Authority and those which can be left to the final decision of the local Governments will thus be materially circumscribed, and the occasions calling for the intervention of the Governor-General will be correspondingly reduced. In fact, we look forward to a time when such intervention in legislation regarding the internal affairs of a Colony will be rare and exceptional. There will be certain sacrosanct principles which will be generally known and accepted, and, provided that these principles are observed, the fullest liberty can be given to the territorial Governments.

For the purpose of devising a working arrangement one of the principal tasks of the High Commissioner, to be continued later by the Governor-General, will be to work out with the territorial Governments an understanding regarding the matters about which he wishes to be consulted before legislation is introduced, and on the basis of this understanding he will issue instructions to the Governors. With regard to all other matters he would still retain the power to instruct the Governor to withhold his assent and the power to amend Bills by the process of certification, but it would be understood that he would not intervene unless the Bills clearly violated principles for the maintenance of which he is responsible. In course of time and experience the list of matters of the former class might possibly be reduced, while as regards all other matters his powers would be merely those of " audit," and in practice the limits of his intervention would become clearly known.

The subject of finance requires special consideration. The authority of the Governor-General can be real and effective only if, on the one hand, he can command the resources necessary for the discharge of his responsibilities, and if, on the other hand, the several Governments vote the supplies necessary for carrying out any policy which he regards as essential. As regards the first of these requirements, we have recommended that the contributions of the three territories to the cost of the Central Authority should be determined in consultation with the Governments of the three territories, and we have explained that during the first stage of our proposals the amounts involved will not be of major importance. Apart from this, the power to certify legislation* will provide what is necessary in the case of Kenya to ensure the provision of supplies for carrying out a policy required by the Governor-General. This is, however, a large and formidable power, and it is perhaps natural that the local communities should

* To be extended, if necessary, to cover votes as well as enactments. (*Vide* Chapter VI, page 156).

be afraid lest a Governor-General with large ideas might attempt to carry out ambitious schemes involving an expenditure greater than the territories can well bear. The difficulty is a real one, and the local communities are entitled to protection against this danger. We believe that the necessary protection is provided by the limitation which we have recommended for the exercise of his powers of certification, combined with the fact that it would be very difficult for the Governor-General to exercise the powers in question in the face of unofficial opposition, except for the weightiest reasons. Before having recourse to such powers it may be expected that the Governor-General would institute careful enquiry into the matters in debate, and enter into consultation with all the parties concerned. Moreover, the possibility of criticism when the papers are laid before Parliament is likely to prevent any hasty decision. But if after full discussion and after consultation with his advisory councils in Eastern Africa and with the Secretary of State, the Governor-General should decide to exercise his powers in the matter of finance, that he should have the right and power to do so is a necessary consequence of the principle that underlies the whole of our Report, that in matters affecting the welfare of the territories as a whole and the interests of the Empire, the Imperial Government must remain the final arbiter.

The important matter in regard to procedure is that it should be made clear that, in controlling legislation which involves the purposes entrusted to him, the Governor-General is not interfering in a question which is the proper concern of the Legislative Council in Kenya but is exercising a right which constitutionally belongs to him, although in this exercise he may avail himself of the unofficial advice furnished by the discussions in the Legislative Council.

Whenever the Central Authority does intervene its decisions must have the character of those of an impartial tribunal arrived at after taking advice. It is important that this aspect of the matter should be made clear in order that the decisions may carry proper weight. The appointment of an Advisory Council in Eastern Africa, in which unofficials will be included, and an Advisory Council in London, are from this point of view an important part of our scheme. We have referred also to the possibility of special enquiries, because in regard to certain questions it may be desirable that, before a decision is reached, there should be a wider canvassing of unofficial opinion, both native and non-native. The result of all these arrangements will be not only that local opinion will have a closer influence on the decisions, but that there will be a clearer definition of policy and a greater guarantee of continuity. Even if the policy is one which is not entirely acceptable to the local communities, they will be confronted with something clear and definite, and can bring their arguments to bear upon those who have the chief part in deciding the issue. They will not be

subjected to the vague fears and uncertainties to which reference has already been made.

It should in our view, as has already been stated, be the definite and declared policy of the Central Authority to respect and to foster the independence of the local Governments, except where Imperial policy, especially on native affairs or any question of justice as between races, is clearly involved. The political experience and capacity of the immigrant communities are a great asset, of which the largest use should be made.

## CHAPTER XI.

### FUTURE DEVELOPMENTS.

We have represented the Central Authority, up to this point in the explanation of our proposals, as exercising on the spot powers of supervision and control in a manner analogous to that in which such powers can already be exercised by the Secretary of State. The first steps up the line of development which we intend to open must be taken in this way, and in the first stages of our plan the Governor-General will be essentially a supervising authority over all those fields of policy for which he is responsible, issuing instructions to the Governors as to the use of the official vote or, where necessary, using his powers of certification. But we contemplate that the significance of his position will inevitably develop both in relation to the direction of services of common interest and in regard to native policy and the interests of various racial communities. Our views as to the possible future developments must now be explained.

It is possible to envisage the next stage of development in the clearest form in regard to the Central Authority's function as co-ordinator of services. Progress in this respect is not only possible but desirable, for it must be recognised that the arrangement which we have proposed for the first stage may not prove permanently satisfactory. We have said in an earlier chapter that we do not think that the time has yet come when public opinion in any of the three territories is ready for the transfer of all powers of legislation on these common services to a Central Legislative Council representing all three territories, and what we have proposed for the first stage amounts to this, that a Governor-General with full executive powers will preside over joint Advisory Councils for each service. He will thus be able on his own authority to direct executive action, but any legislation which is necessary on these subjects will have to be passed separately in each of the territories.

In Tanganyika and Uganda the Governor-General's direction of legislation can be effected by the issue of instructions to the Governor, who will continue to make use of the official majority; but in Kenya, if our recommendations are adopted, and if all the unofficial members combine against the Government, it will be

necessary that he should be able in case of need to secure the passing of legislation contrary to the votes of a majority in the Legislative Council, and for this purpose powers of certification will have to be created.

There are obvious disadvantages in such an arrangement. The need to pass legislation in three separate Councils not only involves a cumbersome process, but may also militate against the growth of that sense of unity of interests which is so desirable. We contemplate indeed that the experience of closer co-operation under the central direction of a Governor-General will in itself increase this sense of unity, and make it possible to introduce a further step which we regard as a natural development in the process of unification, namely, the establishment of a central Council with power to legislate in respect of those services of common interest which we have already mentioned—communications, customs, defence, and research.

It may appear that this involves far-reaching consequences, but we believe that in practice it will be found inevitable. Its significance can be best appreciated by considering such a matter as customs. The position according to what we have recommended in the first stage will be this : that each territory will retain power to settle its own tariffs, but that tariff policy will be recognised to be a matter of common interest. It will be discussed by an inter-territorial Advisory Board, presided over by the Governor-General, and in the last resort, if there are conflicting proposals, he will be able, by means of his authority over the Governors, to prevent any one territory introducing a customs tariff which he considers would be prejudicial to the joint interests. But the transfer of legislative powers to a central Council would involve the surrender of its several rights by each territory to a joint Council in which its own representatives would only constitute one-third of the whole membership. This may appear to involve a substantial change, but in actual fact the liberty that could be preserved by each territory in the former state is illusory, and we believe that a period of co-operation under the supervision of the Central Authority will bring home to all concerned that it is in their own interests that they should commit themselves to a unified policy. Our own observations indicated that the appreciation of this essential unity is steadily increasing, and we therefore believe that public opinion, if properly led, will move before long to what we advocate as the next step—the transfer of legislative powers with regard to certain services to a central body.

Such a step will involve a transfer both of expenditure and revenue, for a central revenue would have to be established to finance the " central " services. The arrangements for this will be a matter of some complication, but, once the general principle is accepted, they should not give rise to any insuperable difficulty. It has appeared to us that it would be premature to put forward de-

tailed proposals for such an arrangement, for these should in the first place be prepared in consultation with the local Governments. The chief complications will arise in connection with railway finance, the nature of which, together with the difficulty of settling an arrangement at the present stage, have already been explained in Chapter V. We believe that this difficulty can and ought to be overcome.

The formation of a central Legislative Council* for the three territories might have such an important bearing on the whole situation that, although we are admittedly dealing with a future which cannot exactly be foreseen, it is worth considering further how it might operate.

It would in the first place be a natural development that such a Council, besides being the legislative body for the central services, would absorb the functions of the Advisory Council to the Governor-General which, according to our recommendations, will have been created for general purposes. The legislative powers over such subjects as railways and customs not only affect a very large part of the revenues and economic interests of the three territories, but have an influence over the whole field of policy. If a central Council is established not only with these powers, but also as the advisory body for general purposes to the Governor-General, there will in effect be created a central government comparable to the central Government of India. In fact, this forecast points rather to unification than federation, and in that case the three existing territories might then become provinces of a unified state under Lieutenant-Governors. Other services and departments might also be centralised, and the responsibilities and cost of the existing local headquarters correspondingly reduced.†

While the ultimate control must remain in the hands of the Imperial Government as the trustee for native interests and as entrusted with the Mandate for Tanganyika, there might be a gradual shifting of the centre of gravity, and consultation on the spot as compared with consultation in London would play an increasingly larger part in determining decisions on important matters. The advisory councils or committees which we have

* Although it would be premature to make definite recommendations as to the composition of the central Council, it is necessary to call attention to certain important considerations which must govern future developments. We have already recorded that all our suggestions are based on the assumption that an official majority must be retained, at least within any future that can be foreseen. Nevertheless, if the Central Authority is to take over any considerable administrative functions, some place must be given to the representative principle. In that case the different territories must be represented according to their type. For example, if Kenya has a certain number of representatives of European unofficial interests, it does not follow that Uganda will have the same number Similarly, while each territory must have members to represent native interests, their proportion would be greater for Uganda than for Kenya.

† At each stage in the process account would require to be taken of the special position of Tanganyika as a mandated area. This consideration will be dealt with more fully in a later chapter.

proposed at the Colonial Office, and particularly the specialist committees on finance and economic policy, would still have a useful function in providing helpful guidance, but if the resources of all the three territories were combined in a central Government, it would be possible to afford higher rates of pay for the principal posts and to build up a more self-sufficient local organization. This might again affect the relative distribution of work between the Colonial Office and the local Government. The tendency would be for much of the supervisory work which is now done at the Colonial Office to become unnecessary, as experience and responsibility developed in the local organization.

We must pause at this point to take stock of the position to which this forecast has led us. The Central Authority embodied during the first stage of our definite proposals in the single person of a Governor-General, exercising only powers of supervision over main lines of policy, has in the scene envisaged in the later development become something which really amounts to a strong central Government in a unified state, with a representative Council for the three territories acting as an advisory body for all purposes and as the legislative body in respect of certain public services of such importance that their conduct affects the whole life of the country, both economic and political. We have been brought to this point by following the development of the function of the Central Authority as co-ordinator of the services of common interest. In regard to these we anticipate that co-operation under central supervision exercised on the spot by an authority representing the Imperial Government will eventually bring about such a realisation of the essential community of interests as to lead, with common consent, to an increasing centralization of important functions of government, while at the same time the freedom of the separate territories to develop along their own lines would be preserved.

It is possible that an analogous process of development may take place in regard to the other main function of the Central Authority —as co-ordinator of native policy; and that in regard to this also the three territories will feel it to be in their interest to unite for joint settlement of policy rather than that each should continue to go its own way, subject only to the supervisory control of a higher authority empowered to intervene to prevent any substantial divergence from common principles. The process in this case, however, cannot be so clearly forecasted owing to the difficulty of making any clear-cut division of subjects, but it seems to us that it is reasonable to envisage a stage of development when there will exist in the public understanding and in practice, though possibly not in any written constitution, just as clear-cut a division of functions between the Central Authority and the local Governments as exists in a federal constitution between the federal Government and the constituent states, and that the Central Authority will become

in effect the central Government of a unified state, so that all important questions of native policy will be settled, not by the intervention of the Central Authority with an individual territory, but after joint discussion in the central Council. It must be made clear, however, that for any period which need for our purposes be taken into practical consideration the Imperial Government must retain the ultimate responsibility for the welfare of the native races and for maintaining justice as between the various racial communities, in which is included the special duty of ensuring that Tanganyika Territory is administered according to the terms of the Mandate.

**Future Revision.**

It is obvious from the nature of our recommendations, which indicate a course of tentative procedure step by step, that it will be necessary for the Imperial Government, after a due period of experience, to review the working of the arrangements which we propose for the first stage. Since the relative strength of the different parties in each Legislative Council is fixed by the constitution, any change in the composition of the Council must be the special concern of the Imperial Government. This is one of the chief points on which the control of the Imperial Government must be made effective. Such a review as we suggest, besides considering the composition of the Kenya Legislative Council, would include other subjects, such as the working of the Central Authority and its relations with the Governments of the several territories, the constitution of the Legislative Councils in Uganda and Tanganyika, and the progress made in local government, both among natives and in the settled areas. It does not appear advisable to make precise recommendations now as to the method of enquiry, or the time at which it should take place. This can better be settled at a later date, possibly when the position is reconsidered at the end of what we have described as the preliminary period.

## CHAPTER XII.

## RELATION OF PROPOSALS TO THE MANDATE FOR TANGANYIKA.

The larger part of the area comprised in the three Northern territories is administered under mandate on behalf of the League of Nations.

The Mandate for Tanganyika provides that :—

> " The Mandatory shall be authorised to constitute the territory into a customs, fiscal, and administrative union or federation with the adjacent territories under his own sovereignty or control, provided always that the measures adopted to that end do not infringe the provisions of this Mandate."

The proposals made in this Report do not involve any action which could be regarded as inconsistent with the terms of the Mandate. It is not suggested that there should be any modification of the territorial integrity of the mandated area. It is not proposed that there should be any change in the status of its inhabitants. It is intended that the system of indirect rule should be maintained in the mandated area and encouraged throughout the whole territory, and our recommendations in regard to native policy may be regarded as fortifying the principle of the Mandate. The only alteration proposed in the form of administration is that the authority of the mandatory Power will in the future, if effect is given to our recommendations, be exercised through a High Commissioner or Governor-General in Eastern Africa.

In the future developments which we have suggested as the possible outcome of our scheme there will be many directions in which the terms of the Mandate may prove to be a limiting factor, but we have not, so far as we can see, forecasted any development which would necessarily transgress the limits imposed by the Mandate. In the following paragraphs we indicate some of the means by which future progress can be kept within those limits.

First, in regard to legislation, the time may come when it will be found desirable to set up a central legislature for certain purposes. In any such legislature it would be necessary, if the principles laid down in this Report are accepted, that the interests of the natives should be adequately represented. Moreover, we do not contemplate that it would be possible within any time that can be foreseen to surrender official control in a central legislature, if such were established. Hence the mandatory Power would continue to possess the same constitutional control over legislation as it has at present. All legislation affecting Tanganyika would remain, as it is now, subject to the scrutiny of the Permanent Mandates Commission.

Secondly, in any form of closer union, and in particular if the direction of various common services were to be transferred to the Central Authority, it would be necessary to devise means whereby a sufficiently reliable estimate could be made of the proportion of revenue and expenditure properly attributable to the mandated area, so as to enable the Mandates Commission to understand the financial position of that area. In the Report of its Fifth Session the Mandates Commission made the following observations in regard to the incorporation of the mandated areas of the Cameroons and Togoland with the neighbouring Colonies of Nigeria and the Gold Coast respectively :—

> "In view of the geographical configuration of these two territories and the ethnical composition of their populations,

the Commission is fully prepared to admit that the measures adopted by the mandatory Power may be the best calculated to ensure good administration and consequently the well-being of the population. It desires to add that these measures are, moreover, expressly authorised by the terms of the Mandate, provided that they do not lead to any infringement of the general provisions thereof. Among these provisions, that relating to the presentation of the annual reports is of particular importance to the Permanent Mandates Commission, which has been appointed by the Council to examine these reports. If as a result of incorporating the mandated territories with its neighbouring Colonies, the mandatory Power found it impossible to submit a report which would enable the Commission clearly to appreciate the nature and character of its mandatory administration, and in particular the work done in order to ensure the well-being of the populations under the Mandate, such incorporation would *ipso facto* appear to be incompatible with the spirit of Article 22 of the Covenant.

" . . . Most of the items of revenue and expenditure, both in the general budget and in the local budgets, are common to the mandated territories and to the neighbouring Colonies. It has been impossible for the Commission, on the strength of the very summary indications given in the two reports, especially in the report on Togoland, to gain a clear idea of the financial situation. The Commission regrets this for two principal reasons. On the one hand, it is unable to inform the Council whether the administration of the two mandated territories shows a deficit or surplus, and, on the other, it has not been able to ascertain with sufficient clearness whether the efforts accomplished with a view to ensuring the well-being of the natives, especially in matters of education and public health, are in full accordance with the principle of trusteeship to which the mandatory Power is pledged.

" This problem, to which the Commission desires once again to draw the attention of the Council, fortunately does not appear insoluble. The Commission would be satisfied if it were provided, in respect of these two mandated territories, with budgets and accounts based either wholly or partially on estimates, provided that the methods employed in drawing them up were clearly explained. It would be desirable, in cases in which it is impossible to determine exactly the amount of the taxes and expenditure in mandated territories, to indicate the approximate proportion of such common taxes and expenditure which is attributable to mandated territories.

" In putting forward this suggestion the Commission is fully aware that its fulfilment would increase the labour of book-keeping for the Administration concerned and that the statistics obtained would necessarily be of an approximate

character. At the same time, it is compelled to recommend the adoption of this method, for otherwise it would be driven to the conclusion that the policy adopted by the mandatory Power would render inadequate the supervision entrusted to the Commission."*—(*Report on Fifth Session, p.* 190.)

Thirdly, in the matter of loans, and of expenditure on public works serving both the mandated area and the neighbouring territories, it would be necessary to satisfy the Mandates Commission that the contribution of the mandated area to the cost bore a fair proportion to the services received.

Fourthly, the Mandate ensures for all nationals of states which are members of the League of Nations complete economic, commercial, and industrial equality. We propose that the Governor-General should have powers of controlling and directing legislation on customs matters, and in the exercise of this function it will, of course, be incumbent on him to see that the provisions of the Mandate in regard to Tanganyika are observed. In all such questions, the tariff applicable to Tanganyika would have to conform to the terms of the Mandate. The implications in this position must be taken into account in any proposals for uniform customs tariffs for the three territories. If it should be decided to set up unified customs administration it would be necessary that the customs revenue of the mandated area should be shown separately in order to meet the requirements of the Mandates Commission.

Fifthly, if anything analogous to the amalgamation of the railways of the three territories were proposed, regard would have to be paid to Article 257 of the Versailles Treaty, under which all properties and possessions belonging to the German Empire or to the German States situated in mandated territories were transferred with the territories "to the Mandatory Power in its capacity as such."† As we have pointed out in Chapter V, it may ultimately prove to be in the joint interests of Tanganyika, Kenya, and Uganda that the whole system of ports and railways for the three territories

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* It may be noted that the Belgian Act incorporating the mandated territory of Ruanda-Urundi in an administrative union with the Congo contains the following article :—

"Le Ruanda-Urundi a une personnalité juridique distincte : il a son patrimonie propre. Ses recettes et ses dépenses sont inscrites à des tableaux spéciaux dans les budgets et les comptes de la colonie. Entre ces tableaux et les autres tout virement est interdit."

† The Mandates Commission has given repeated attention to the position of the railways in South-West Africa, taking exception to a phrase in the South-West Africa Railway and Harbours Act. No. 20 of 1922 by which the railway system and ports of South-West Africa were incorporated in the railway system and ports of the Union and vested in the Union in "full dominion." The Government of the Union furnished the Commission with an interpretation of this phrase (Document C. 367 (a) M. 117 (a), 1925), which gave full satisfaction to the Commission. The Commission has been pressing for an amendment of the Act to bring it into accord with the interpretation given.

should be managed as one unit, and such an arrangement, in order to achieve its full effect, would necessitate a pooling of receipts and expenditure. If such an arrangement could be demonstrated to be fair to Tanganyika, we cannot see that it would be contrary to the spirit and principles of the Mandate. The method of recording the results of its working would require very careful consideration in order to make them clear to the Mandates Commission.

Sixthly, in regard to defence, the Mandate provides that no native military force shall be organized in the mandated area except for local police purposes and for the defence of the Territory. In any unification of the defence forces in Eastern Africa it would be necessary to have regard to this provision, and it would be necessary to satisfy the Mandates Commission both that Tanganyika was not contributing more than its due proportion to the defence requirements of the whole area, and also that its proportionate contribution was not, in consequence of the needs of the other territories, greater than it would be if the requirements of the mandated area were considered alone.

To sum up, the effect of our proposals is not, now or in the future, to change in any way the status of the mandated area. The responsibility of the mandatory Power for the administration of the territory will remain unimpaired. No difficulties will arise in regard to the annual report to the League of Nations. Tanganyika will remain a separate entity in its relation to the League. Further, we have shown in detail that in regard to such matters as equality of economic opportunity, tariffs, railways, and defence, no insurmountable difficulty need arise in giving full effect to the provisions of the Mandate.

## CHAPTER XIII.

## THE CENTRAL AFRICAN TERRITORIES.

Though the preceding chapters are mainly concerned with Eastern Africa, it has been necessary from time to time in dealing with the significance of the Dual Policy, and the need for co-ordinating the common services, to refer to conditions in Central Africa (Nyasaland and Northern Rhodesia). In many respects the principles of policy formulated in the previous chapters apply equally to the Central African Dependencies, and it would have been convenient to state our views as regards those territories at this point. As, however, our views on the subject of the Central African Territories are not unanimous, we have thought it desirable to leave this subject over for later discussion (pages 252-287) after dealing with those matters on which we are in general agreement.

## CHAPTER XIV.

## ZANZIBAR.

The islands of Zanzibar and Pemba are separated from the mainland not only by a few miles of sea. Their history has been different from that of the mainland for several centuries, and there are differences in the character of their populations and of their institutions and economic interests. Swahili of a type somewhat more advanced than that of the kindred race of the mainland constitute a large majority of the population. There is a well-to-do community of Arabs which was for 200 years the ruling class of the islands, and still is its upper class. There is a prosperous community of Indians which holds an important position in the trade of the islands, and a comparatively large community of Europeans. In form, the Government is that of a Mohammedan Sultanate maintained by treaties under British protection. The Sultanate is hereditary in an Arab family which, both as a family and in the person of the present Sultan inspires emotions of affection and respect amongst the inhabitants. The economic interests of the islands are centred in their clove crop, which is peculiar to them, and to a lesser extent in other crops of which the most important is copra. The separate status of the islands receives some recognition from international treaties, under which certain limitations, the extent of which is not free from doubt, are accepted in respect of rates of duties on imports and in other matters.

The difference between the islands and the mainland has recently been recognised by their restoration to administrative independence under the Colonial Office. From 1913 to 1925 they were under the control of the Governor of Kenya, acting as High Commissioner for Zanzibar and Pemba. In consequence, as it would seem, of a recommendation made by the Parliamentary Commission, in the latter year the office of High Commissioner was abolished, and the administration was placed once more under the control of the British Resident. The grounds upon which the abolition of the High Commissionership was recommended in the Parliamentary Commission's Report were, in substance, that it was an expensive arrangement, caused delays in the transaction of Government business, and led to lack of co-operation with the unofficial community of the islands.

On the other hand, there are undoubtedly matters in which the islands have interests that are common with those of the mainland. There is a general resemblance between their physiographical and ethnological characteristics, and they are closely tied together by the bonds of trade and of other communications. Their problems are very similar in the region of scientific research. There

is a regular annual immigration of labour from the mainland, especially from Tanganyika, to work at the clove and other harvests. One of the chief interests of the islands is the port of Zanzibar, on which no less than £386,000 is being spent at the present time. The prosperity of this port is bound up with that of the general transport system of the British territories of Eastern Africa, of which the ports of Kilindini, Tanga, and Dar-es-Salaam, and the railways which serve them, are also integral parts.

Zanzibar, therefore, is by no means completely independent in interest of the mainland, and it seems probable that in the future its dependence will increase. In the past Zanzibar was the advanced base from which the mainland was invaded by civilization. Its insular position gave it a measure of peace and security long before the mainland was anything but the obscure scene of unknown dangers. For that reason, in the early days of East African trade it enjoyed a marked prosperity as the entrepôt for trade with the mainland. Thus for several centuries it held a certain pre-eminence over the territories of the mainland, a pre-eminence which conferred upon it material benefits. For some time now that pre-eminence has been waning. As the mainland has been occupied by civilized administrations and made safe for immigrant communities, the safety of insularity has become of less importance. As harbours have been developed on the mainland, the entrepôt trade of the island has diminished. The island has lost its significance as an advanced base for trade and civilization, and has lost with it many of the advantages which it conferred.

But for one circumstance, the decrease in the prosperity of the island would have been more rapid than it has been. That is the introduction, a century ago, of the cultivation of cloves. Since then this industry has been a practical monopoly of the islands. It is a very profitable one. The wealth that it has brought has enabled the islands to remain prosperous in spite of the decay of the entrepôt trade. It has given them a financial status that is high in proportion to their size and population. By the strength that it has given to their public revenues, the industry has enabled them to maintain the expense of an autonomous government which would otherwise be out of proportion to the size of the community.

At the present time the outlook for the clove industry is overcast. Reduction of demand for cloves is threatened by the production of synthetic vanilin. Increase of supply is threatened by the cultivation of cloves in Madagascar. The only substitutes in sight as a staple crop are copra and possibly tobacco. Both are lower-priced crops, incapable of maintaining the public revenues as the clove crop maintains them. Were the clove industry to languish, it would be difficult for the islands to bear the expense of a separate administration on the present scale.

The economic and political importance of the islands has waned, and it is not improbable that it may continue to do so. Concurrently, the relative importance of the mainland has increased, and is still steadily increasing. The result is that the dependence of the islands on the mainland is likely to increase rather than to diminish. If that be so, the common interests of the two which call for common control will also increase. It may be that the clove industry will resist the present adverse influences, or that some alternative crop or industry, not yet known, may be found, that will suffice to maintain the present financial status of the island. If it be not so, the time may come when the islands, unable to maintain the whole apparatus of a separate government out of their own resources, will find it necessary to economise by seeking some measure of closer union with the territories of the mainland, which will enable them to share in the apparatus of government which those territories provide.

For the present, however, the islands are able to afford the separate government which, in view of their special conditions and traditions, they undoubtedly prefer.

The reasons why the islanders, so far as they are articulate, are unfavourable to any closer administrative association with the mainland territories at the present time are natural if not profound. A strong impression still survives that, during the exercise of the High Commissionership by the Governor of Kenya, the affairs of the island suffered from inattention and delay. In the light of that experience it is feared that association with an even larger neighbour, not Kenya only but a group of territories, might lead to even greater inattention to the affairs of Zanzibar. Fears are also felt lest the status of the Sultanate should be affected by any political change. We do not think that there is much solid basis for these doubts and fears. The fear that Zanzibar would receive less attention from a Central Authority for Eastern Africa than it received from the Governor of Kenya as High Commissioner seems particularly groundless. The Governor of Kenya, it may be admitted, had no particular interest in Zanzibar. His concern was Kenya, and Zanzibar was for him an excrescence on his work. But the Central Authority in Eastern Africa would exist for the express purpose of co-ordinating the interests and the policy of the territories concerned. It would have no more interest in one part of the territory than in another. Zanzibar would be as much its business as any other territory. Zanzibar might therefore entrust to such an authority those interests that it has in common with the mainland with far more confidence than it could entrust them to the Government of another single territory. Fears as to the status of the Sultanate are no less groundless. No change need be effected in that status by the association of Zanzibar in closer union with the mainland territories. It is a characteristic of the British Empire that it is completely elastic in its forms of

constitution. Constitutions for developing provinces need not be cast in an existing mould. The form of a new constitution can be adapted to the needs of the case. So in any constitution proposed for grouping Eastern African territories, each member state can retain its own domestic constitution. Zanzibar, if it entered into closer union with the mainland territories, could do so without losing its character as a protected Sultanate. There need be no change in the status of the Sultan or in his relations with the British Resident. That should be recognised as the basis of our recommendations.

The doubts and fears of the people of the island may not be well grounded. Nevertheless they exist, and they must be taken into account. The island would derive some direct material benefit by immediate association with the closer union of the mainland territories which we propose. It would probably get better technical and departmental services with less cost. But the benefit it would derive would not be so great as to make it worth while to overrule the deliberate preference of the people for a wholly separate government. As long as the islands can afford their separate government, and as long as they prefer to maintain it, there is no strong reason why they should not do so. It will not prejudice the development of the mainland territories.

It is, therefore, suggested that association of Zanzibar with the closer union of the mainland as a full member need not be pressed or hurried; it may be left to the march of events that will naturally bring the two closer together in interests, and to the education of public opinion in the islands.

The situation, however, needs caution and foresight. For reasons given, it may be that the financial situation of the islands will make it necessary for them to seek support from the stronger governments of the mainland. In any event, the growth of the mainland communities in economic importance must sooner or later so multiply the interests which the islands and the mainland have in common, as to make it necessary for the islands to seek some common management of their joint interests, lest they be left out in the cold. It should, therefore, be the deliberate policy of Government in the islands to educate the people in the idea of closer union, so that, when the time comes, they may understand its benefits, and not be deterred or discomposed by groundless fears.

It is not meant that the islands should completely dissociate themselves from all administrative connection with the mainland. In the past Zanzibar has co-operated with the mainland territories to advance certain common interests, to their mutual benefit. Zanzibar has contributed, for instance, to the cost of the Governors' Conference Secretariat, the East African Trade and Information

Office, the Amani Institute, the Imperial Bureaux of Entomology and Mycology, and the Colonial Office Advisory Committees on Native Education, Tropical Medicine and Hygiene.

We recommend that Zanzibar should continue to be represented at the Governors' Conference under the Chairmanship of the Central Authority for Eastern Africa and to co-operate in matters of common interest with the mainland territories. There are numerous matters in which this co-operation might be forthwith extended. The establishment of a Central Authority on the mainland will facilitate the process. For instance, it would be well worth the while of the Zanzibar Administration to share in the activities of the Central Authority of the mainland territories in the matter of scientific research. Zanzibar should be represented at any discussions held to co-ordinate the administration of the harbours and docks of the mainland territories and the service of lights and buoys, and should associate itself with any central organization formed to control these services. Co-operation with the Central Authority is required in the matter of the migration of native labourers and of passports and quarantine regulations for travellers between the islands and the mainland. Arrangements may with advantage be made by Zanzibar to share in some of the apparatus of government which cannot economically be provided to meet the smaller needs of the islands alone. For instance, it would be to the advantage of Zanzibar to arrange with the mainland territories, through the Central Authority, for accommodation for her long-term, juvenile, and other special classes of prisoners, for which Zanzibar cannot itself afford the special accommodation which is required. This is but an instance of the manner in which greater efficiency with greater economy might be secured by co-operation between the neighbours. The unification of the personnel of some of the special services on the islands with that of a corresponding service on the mainland is also a matter for early consideration. It might, for instance, be to the advantage of Zanzibar to unify the personnel of her police, and that of her education service, with those of Tanganyika. Lastly, Zanzibar should take immediate advantage of the facility provided by the establishment of a Central Authority on the mainland to assimilate the forms of her legislation in such matters as bankruptcy, commercial and personal law, to that of the mainland, and to secure the benefit of unified bankruptcy and winding-up, and common registration of patents and trade-marks.

There are two major interests of the island that deserve special mention in this connection. The first is customs. At the present time the only unification between the customs systems of the islands and of the mainland is in the minor matter of customs regulations and orders. They have different tariffs and different rates of duty. The tariffs of Zanzibar, as said, are subject to certain

international agreements, the application of which is not free from doubt. In a recent instance they do not appear to have been an obstacle to a general increase of rates of duty. It may be said that Zanzibar would benefit by the unification of its tariffs and rates with those of the mainland, so as to promote the free interchange of goods between the two. On the other hand, Zanzibar imports a great part of her food supply from other continents, and particularly from India, and is naturally reluctant to accept the possibility of high import rates upon such goods, a possibility which is implied by acceptance of the mainland tariff. An increase of the Zanzibar tariff to replace diminishing revenue from cloves, a process which has already begun and may continue, or a decrease of the mainland tariff on articles of food, would greatly increase the attraction to Zanzibar of a customs union with the mainland.

The second question is that of currency. The unit of currency of Zanzibar is the rupee: that of the opposite mainland is the shilling. At present, in view of the large proportion of the foreign trade of the island that is done with India, for the island the rupee is probably the more convenient unit. If the dependence of the island on the mainland, and its trade therewith, continue to increase in the manner which seems probable, the time will come when the unification of its currency system with that of the mainland must be seriously considered.

But both as to customs and currency, the time is not yet ripe for a unification of the systems. Time is needed before a certain judgment can be passed on its advantages, and on the time at which the step should be taken.

By experience of the benefits of co-operation it may be expected that all barriers between the island and the mainland will be removed that are based only upon misunderstanding and groundless doubts and fears. The situation will thus be prepared for the consideration on its merits of Zanzibar's entry into full membership of the closer union of the mainland territories.

Advantage should be taken of the fact that there need be no hurry for closer union with the mainland, to prepare the way for it by voluntary co-operation in common interests, and by educating the people of the islands to understand its nature. In particular they should be brought to understand that membership in such a closer union is compatible with the maintenance of the Sultanate in all its present powers and dignities.

## CHAPTER XV.

### REVIEW OF THE PROPOSALS.

We can now review our proposals and relate them to the particular questions put to us in our terms of reference, but before doing this we wish to make clear certain governing ideas which have influenced our conclusions.

First, we think that there is need for a new conception of the relation of the Imperial Government to non-self-governing dependencies of the type found in Eastern and Central Africa. Hitherto in the history of the British Empire the struggle has been between vigorous local communities anxious to manage their own affairs and the Imperial Government resisting as far as possible the relaxation of close control. In this contest no satisfactory intermediate position has been found between a rigid, detailed control and responsible government. Both of these we have shown to be unsuited to the conditions with which this Report is concerned. Hence it becomes necessary to devise some alternative system, especially for "mixed states" in which the community which desires greater political independence is only a small minority living in the midst of a vast and backward native population. We believe it to be possible to devise a form of Imperial direction of policy in essential matters different in character from that which has hitherto been exercised over Crown Colonies, and that the advantages offered may be such as to make it acceptable to the local communities.

The right to direct policy in certain matters must be retained by the Imperial Government, not only because of its responsibilities for the native population in each separate territory, but also because of its wide interests throughout Africa, in regard to which a consistent policy must be followed. On the other hand, the Imperial Government is able to assist the dependencies by its credit and supplies of capital for their development. As an example of this, the prosperity of Kenya and Uganda has largely been built up on the money supplied by the Imperial Government for the building of the original railway, which has up to the present been treated as a free grant. Help can be given also by attracting to Imperial headquarters the best scientific and technical advice and business experience.

If Imperial control is to provide helpful guidance of the main lines of policy, it appears essential that there should be created at Imperial headquarters a highly-qualified and experienced general staff dealing not in details with a large number of small units, but on major issues only with a comparatively small number of larger formations. The closer union of the territories of Eastern Africa under a Governor-General who will act as a link between the

local Governments and the Colonial Office has a special significance in connection with this idea. If the experiment proves successful for Eastern Africa, it may be found capable of application to other parts of the Empire.

A second leading idea has been that, if in a territory like Kenya there is to be created a real opportunity for the local community to manage its own affairs with freedom and responsibility, there must be a gradual definition of the purposes for which the control of the Imperial Government is exercised, so as to make clear the scope for initiative and independence left to the local Government. "Definition of purposes" in this sense means chiefly definition of the principles of policy which is to be followed on native affairs, and inter-racial questions. Adopting the analogy of a trust, our idea may be expressed by saying that the more clearly the terms of the trust are defined, the easier will it be to provide the unofficial communities with opportunities to be associated in its execution.

A third leading idea which has run through the whole of our recommendations, is a conception of the future development for a "mixed state," that is to say, a state such as Kenya where an important immigrant community must live side by side with a very large native population. We can see no other interpretation of the "Dual Policy" which has been adopted, and no other result from the process of native education and economic development which has already been started, than that the day will come when the native population must have their due share of political responsibility. As the whole population—native and non-native—must, with the advance of civilisation and development of the territory, move steadily forward in the direction of increasing political responsibility, it is necessary to look forward to a day when the immigrant communities and the natives will together control the whole business of government, and the question is how such different communities can settle down side by side without the fear of either dominating the other.

Although we see no limits to the possibilities of native advancement in education and civilisation, it appears to us that the white and black races can for a long time to come—possibly for all time—develop in the main with the greatest advantage to each along different lines. Our idea is that, while each pursues its own distinctive and natural line of development, they may be able to settle down together in a single state without the fear of a struggle for domination, provided that there is available an impartial arbiter to decide issues in which there is a conflict of racial interests. It can be the destiny of the Imperial Government to fill this rôle.

It is a practical corollary to this idea that social development should, until the future can be more clearly foreseen, be so guided as to maintain some degree of political segregation at least for dealing with all but what are essentially common interests.

A fourth guiding idea in our minds, closely related to the preceding, is that the territories of Eastern Africa, taken as a whole, can never be white men's countries in the sense that they could be populated and developed by a permanently settled self-sufficient white race performing for itself all the tasks of manual labour and other services required for the maintenance of its existence, but that they can contain in the form of settled areas important outposts of British civilisation capable of doing great good. If they are looked at from this point of view, the quality of the settlers is more important than their quantity. If the white communities are fitted to be in this sense outposts of British civilisation, they ought to be trusted to the maximum extent and on their side they should come to have confidence in the Imperial Government. The present relations, so far as they have the character of a struggle for power, are harmful and wrong. But again, if this conception is accepted, the white settlers must realise that, while they may be trusted partners of the Imperial Government, they cannot claim to be the dominating element.

A fifth guiding idea which has influenced us has been that Eastern Africa—that is to say, the three territories of Kenya, Uganda, and Tanganyika, with further additions when communications have improved—is essentially a unit. This unity is partly dependent on the physical conditions of the territories, which create common economic interests, but it depends still more on the fact that the questions arising in regard to the natives and their relations with the immigrant communities are essentially similar throughout, and need to be treated according to a common plan. Inasmuch as native policy cuts across all subjects, the right course for the future evolution of closer union appears to be in the direction rather of a central unified government, than of any federation of states possessing independent constitutional rights.

In the light of these guiding ideas we may now attempt to summarise our proposals in the form of direct answers to our terms of reference.

In the first question we are asked whether "*either by federation or some other form of closer union, more effective co-operation between the different Governments in Central and Eastern Africa may be secured?*" Our answer to this is in the main that the time is not yet ripe for any drastic and sudden change. Communications are not yet fully developed, public opinion is not yet fully prepared, and the dangers of over-centralization must be avoided. On the other hand, co-ordination of policy is needed, and in the matter of native policy it is urgently needed. We think that the first steps towards co-ordination must be taken in the form of a more effective employment of the powers already exercised through the Secretary of State, and we recommend for this purpose the appointment of a Governor-General for Eastern Africa to act as a personal link between the Secretary of State and the various local Governments

and to hold the position as it were of a permanent Chairman, with full executive powers, of a standing conference of the three Governments. We believe, however, that in course of time a much closer union will, with common consent, develop and that it will be beneficial that it should do so; but we think that it will be found that this closer union ought to take the form of the establishment of a strong unified central government directing all affairs of common interest for three provinces, rather than a federation of quasi-independent states. The considerations which affect co-operation in the services of common interest—transport and communications, customs, scientific research, and defence—which are specially mentioned in our terms of reference, have been fully dealt with in Chapter V, and our recommendations are summarised in Chapter VI (pages 151-153).

The second question which is put to us is "*to consider which territories could either now or at some future time be brought within any such closer union, and in particular how best to give effect to Article* 10 *of the Mandate for Tanganyika.*" Our answer to this is that, in the first place, the union should be between the three Northern territories of Kenya, Uganda, and Tanganyika; for the present the other territories require different arrangements, but in any case the co-operation which already exists between the Northern territories and Nyasaland, Northern Rhodesia, and Zanzibar should be continued, and, through conferences and occasional visits, links should be maintained between the Northern group and the two Central African territories and Zanzibar. A close liaison should also be maintained with Southern Rhodesia for the discussion of all matters of common interest.

Our proposals can be developed on lines consistent with the Mandate for Tanganyika.

The third question referred to us must be considered in two parts. We are asked :—

> (3) *To make recommendations in regard to possible changes in the powers and composition of the various Legislative Councils of the several territories:—*
>
> (a) *as the result of the establishment of any Federal Council or other common authority;*
>
> (b) *so as to associate more closely in the responsibilities and trusteeship of Government the immigrant communities domiciled in the country.*

As regards changes in the *powers* of the various Legislative Councils, in one sense our recommendations—subject to a single exception which is mentioned below—involve no change, because, in the first stage at least, no subjects will be withdrawn from the purview of the local Legislatures and transferred to the Central Authority, and the latter will merely exercise powers of supervision, analogous to those already exercised by the Secretary of State. The single exception is that in Kenya, as a condition of the abolition

of an official majority in the Legislative Council, powers must be reserved to the Central Authority, to ensure the passing of measures for certain purposes contrary to the vote of a majority in that Council.

In another sense, however, a very important redistribution of functions is implicit in our proposals for the creation of a Central Authority. That authority will control legislation on certain subjects for all purposes and on all other subjects for certain purposes. Although his powers will not be so extensive as those at present exercised through the Secretary of State, their exercise by an authority on the spot will in fact be much more effective and may lead eventually to the transfer of the power of legislation on certain subjects from the territorial Legislative Councils to a central legislative body.

As regards "changes in the *composition* of the various Legislative Councils," we recommend no changes, as already stated, in those of Uganda and Tanganyika. *In regard to the Legislative Council of Kenya, we recommend the appointment of four additional members nominated by the Governor to represent native interests, making with the member at present nominated for this purpose five such representatives and a corresponding reduction by four of the present official members. This is intended as the first step in a progressive reduction in the proportion of official members in the Legislative Council, to be undertaken in proportion as the main lines of Imperial policy in regard to natives and the relations between natives and non-natives become clearly defined and generally accepted, and as the functions and powers of the Central Authority which we propose are proved to be effective in practice. It will also be dependent on the settlement of differences between the various racial groups on the non-native side.

As regards "*changes in the powers and composition of the Legislative Councils so as to associate more closely in the responsibilities and trusteeship of Government, the immigrant communities domiciled in the country*," we have taken due account of the distinction made in these words between the responsibilities and trusteeship of Government. The task of Government in a territory inhabited by several different communities covers a wider field than the specific duties of trusteeship which we understand to mean the protection of the interests of the native races.

Under the head of the *responsibilities of Government* our chief proposals are the following† :—

(*a*) The institution of a Central Authority representing the Imperial Government on the spot will open up a larger opportunity to the immigrant communities, through representation

* The Chairman dissents from the following sentence to the extent stated in his additional recommendations.

† This summary includes all our proposals and is not confined to "changes in the Legislative Councils" referred to in the terms of reference.

on the central Advisory Council and in other forms of consultation, to contribute their experience to the framing of policy, and to the making of decisions on matters for which the Imperial Government must retain ultimate responsibility.

Our proposal for periodical conferences in London at which the unofficial communities should be represented would increase this opportunity.

(*b*) In Kenya the removal of the official majority, which will be the result of our recommendations as regards the Legislative Council, will give to the unofficial members of the Council increasing influence over legislation and finance, provided that the principles for which the Central Authority is responsible are not infringed. Such powers can, however, be entrusted only to a Council in which not only the immigrant communities but also the interests of the native reserves are adequately represented. What the immigrant communities may justly claim is partnership, not control. Subject to this condition, our proposals are intended as a first step towards a progressive increase in the proportion of unofficial representation.

(*c*) A closer association of the immigrant communities with the executive work of government can be achieved by the appointment, which we recommend, of advisory committees in connection with some at least of the departments of government. This association may possibly be made closer in the future.

None of the measures suggested in the two preceding paragraphs should be regarded as steps towards responsible government, in the full sense of dominion government, for these could only be introduced when the period of the Imperial Government's trusteeship for the natives is finished and the natives can themselves take a share in the responsibilities of government equivalent to that of the immigrant communities. Such a development belongs to a period beyond our present horizon.

(*d*) The development of local government institutions in the settled areas, which we recommend should be undertaken on the lines of the proposals of the Kenya Local Government Commission, will provide a field in which political responsibility can be made real and, within the prescribed limits, complete. (Pages 179-181.)

As regards "*the closer association of the immigrant communities with the trusteeship of Government*" (i.e., for the welfure and advancement of the native races), in presenting our recommendations we have endeavoured to avoid certain possible confusions of thought. The distinction already noted between the responsibilities and trusteeship is helpful for this purpose, but in regard to the latter a clear appreciation of the function is necessary.

In the first place the power to define and interpret the " terms of the trust "—i.e., the principles of native policy—must remain with the Imperial Government. In proportion as its terms are clearly defined and accepted, so can others be allowed a share in its execution. Nevertheless the ultimate responsibility must remain with the Imperial Government so long as the trust survives.

While these overriding considerations must be made clear, our recommendations recognise, both that it is desirable for the Imperial Government to consult the local immigrant communities in the interpretation of the trust, and that the local Legislative Council, which is responsible for legislation affecting the country as a whole, has the responsibility of observing its terms. Membership, therefore, of the Council does in itself associate the representatives of the immigrant communities in a general way in the exercise of the trust. It will, however, be fairer to all concerned, and will also avoid confusion of thought, if it is recognised that a member of the Legislative Council, chosen to represent a constituency of immigrant settlers, is primarily responsible to those whom he represents, so that, if there is any conflict between immigrant and native interests, he can hardly act as a trustee for the latter. What he can do is to help, in the give and take of debate, towards that adjustment which the exercise of the Dual Policy demands, between the different points of view of the settled areas and the native reserves. But for this purpose the latter must also be represented.

Apart from the above general opportunities, our proposals create specific opportunities for the immigrant communities to be associated with the trusteeship by supplying individuals to act as representatives of native interests on the Legislative Council, to be members of the Advisory Committee on Native Affairs, and other committees, and to serve on special commissions of enquiry into matters affecting native welfare.

In dealing with this subject it is important to note that the chief opportunity for the immigrant communities to play a part in the guardianship of native interests exists independently of any proposals which we can make, for it is afforded by their daily lives as employers of native labour.

The second part of the third question with which we are dealing must be considered together with question 4. We are asked in the latter to suggest " *how the dual policy recommended by the Conference of East African Governors (i.e., the complementary development of native and non-native communities) can best be progressively applied in the political as well as the economic sphere.*" Question 3 asks us to state what change we recommend in the powers and composition of the various Legislative Councils so as ultimately to secure more direct representation of native interests in accordance with the Dual Policy as explained.

Our recommendations are that the " political development of the native communities " should for the present be promoted by providing for their participation in the institutions of local or tribal administration; that these should be based as far as possible on native traditional ideas and should utilize to the greatest possible extent the authority of the traditional native leaders; that for this purpose policy as regards alienation of land to non-natives should be directed so as to allow for the creation of racially homogeneous units for local self-government. The place which we have assigned to the institutions of local government in the total scheme of government which we recommend leaves ample room, as has been pointed out in an earlier chapter (page 181), for the development within the general system of native States like the Kingdom of Buganda, in which the native peoples will be free to maintain their own system of native administration, without the loss of their individual characteristics.

We recognise further that account must be taken of the natives' interest in the wider field of government, and that it is essential that they should be gradually educated to understand the Government's policy. We recommend that steps should be taken according to a plan co-ordinated for all three territories for discussion and consultation with the natives. This plan should provide for a gradual development from informal meetings—in the nature of local Durbars—towards periodical discussion with local advisory councils.

In the meanwhile the representation of native interests in the various Legislative Councils is to be secured in Uganda and Tanganyika as at present by the official members and in Kenya by the nomination by the Government of five non-natives specially chosen for this purpose. These representatives of native interests in Kenya must take an active part in the discussion and consultation with natives on Government policy which has been recommended.

The nature of further developments beyond this stage must be guided by experience. It is in principle desirable first that natives should take no direct part in the government of a territory until they have become qualified by adequate training to do so; and secondly, that native representatives for any such purposes should be chosen in a manner consistent with native tradition, and should be really representative of their fellows, that is to say, that native representation should come through the traditional leaders, and not through those who have detached themselves from tribal traditions and whose claims depend merely on a facility for acquiring a knowledge of English, and the superficial marks of European civilisation. These principles point towards a full development of the possibilities of native advisory councils for representing native interests to the Government, before the question of admitting natives to the Legislative Council is considered. The principle of nominating non-natives to represent native interests, which we

have recommended for the Kenya Legislative Council, should be applied to all special commissions or ordinary councils—including the advisory council to the Central Authority.

The remaining two matters referred to us are :—

5. *To make recommendations as to what improvements may be required in internal communications between the various territories so as to facilitate the working of federation or closer union.*

6. *To report more particularly on the financial aspects of any proposals which they may make under any of the above headings.*

The questions raised on these subjects have been specifically answered in the preceding chapters (V and VI and X) and our replies require no re-statement here.

In conclusion, we must indicate our views as to the general method for the introduction of our proposals.

The successful inauguration of our plan will depend in a very special degree on the personal qualities of the chief individual selected to carry it out—the High Commissioner in the preliminary preparations, and the Governor-General in the first definite stage. Whoever is selected must be given a wide discretion and will have a difficult task. If we have in the previous chapters indicated what we contemplate as the course for further developments, this has been done so as to explain the significance of our immediate proposals and is not intended to hamper the discretion of whoever is entrusted with the task of working these out.

It will be noted that in our recommendations we have suggested a number of further enquiries in order to establish facts and define policy in connection with many of the questions which were put to us, and we have thus left the final answers still to be settled. This result, according to our view of the situation, is inevitable. For we should have been given an impossible task if that had been to settle immediately a final form of government for these territories or an exhaustive programme of native policy, which would permanently meet all requirements. The situation at present is in embryo, it is rapidly changing, it contains many factors for which there is no parallel, and for which there has been no precedent. The form of government must develop gradually, keeping pace with the development of the actual situation, and it would be folly to attempt to settle or even to forecast a final constitution. Certain dangers can indeed be foreseen, and must be guarded against, but what it really requires is that the changing situation should be sympathetically watched, and at all stages studied and understood so that the institutions of government may be adapted accordingly. The duty of watching attaches to the Imperial Government, on which the ultimate responsibility for good government rests, and the task requires machinery for enquiry at all stages. Such a task

cannot be properly performed by a succession of specially appointed commissions reporting after examinations hastily carried out, as is almost inevitable in the case of such commissions. The task is a continuous one which no single commission could complete, and it is for this reason that we propose the creation of a permanent impartial authority, part of whose task will be to watch carefully over the changing situation on behalf of His Majesty's Government, and to suggest developments in the form of government at the appropriate times. Imperial control thus exercised can be regarded as providing a shelter under which a different form of government will be slowly evolving.

We desire to express our appreciation of the services of our reporter, Mr. H. H. Cooper, and of our stenographers, Miss M. Dalton and Miss A. Smith, who carried out the heavy task of taking down and transcribing the evidence with expedition and accuracy. Miss Smith has also given valuable assistance with the clerical work connected with the preparation of our Report.

Our Secretaries, Mr. H. F. Downie, of the Colonial Office, and Colonel C. W. G. Walker, of the East African Governors' Conference Secretariat, have had arduous duties to perform in the preparation of a large volume of evidence, oral and written, the organization of travel and the keeping of lengthy records. These duties have been performed with the utmost ability, and their services in general have been of the greatest assistance to us.

E. HILTON YOUNG (Chairman)
(subject to additional recommendations below).
R. A. MANT.
GEORGE SCHUSTER.
J. H. OLDHAM.

H. F. DOWNIE
C. W. G. WALKER } *Secretaries.*

17*th October*, 1928.

## ADDITIONAL RECOMMENDATIONS BY THE CHAIRMAN, SIR E. HILTON YOUNG.

### The Constitution of Kenya.

The above Report states the unanimous results of our joint investigations and deliberations.

Nevertheless, in one matter, that of the future constitution of Kenya, I have come to certain conclusions that oblige me to make a recommendation additional or perhaps alternative to that which appears in the body of the Report.

The position in Kenya has been fully analysed, and I need not cover the ground again. The argument developed in our Report leads me to the conclusion that the practical recommendations for changes in the constitution of the Legislative Assembly specified in Chapter VIII, page 187, are inadequate to achieve their intended purpose: further, in two sections that appear in Chapter IV, it appears to me that the argument as regards the future of the constitution of Kenya is pushed to an extreme that is not justified by the reasoning of the rest of our Report. These sections seem to me an excrescence on the structure of our Report.

### Responsible Government and an Elected Majority.

In the two sections referred to ("Dominion Government" and "Elected European Majority"), it is argued that responsible government and a majority of elected representatives in the Legislature must be ruled out as a suitable form of government for Kenya.

I am unable to join in this opinion expressed as an absolute and general principle. I agree, indeed, for the reasons stated in our Report, that under existing conditions, and in particular as long as Kenya remains an isolated unit of administration and unrelated to any Central Authority in Eastern Africa, the forms of responsible government, and perhaps an elected majority also as inevitably leading to responsible government, are inappropriate to the local conditions. This more limited conclusion is that which, it appears to me, should be drawn from the main argument of our Report.

On the other hand, the establishment and development of a Central Authority such as that which we propose, by providing an efficient arbitral influence to hold the balance between the conflicting interests of racial communities, would remove the objections of general principle to the forms of responsible government and to an elected majority in Kenya. Indeed, it is because the establishment of such an authority will, it is hoped, make the future of

racial interests safe in the event of developments of the sort that it is most strongly urged.

We are unanimous that an elected majority is not suitable to the political conditions of Kenya at the present time : and there is no serious contention by anyone that the forms of responsible government would now be suitable to those conditions. But the future is hidden from us, in particular that of a territory where the process of change is at present very rapid. It may be that conditions will arise due to changes in the population, to the growth of political experience, to the growth in influence of the Central Authority, or to other similar circumstances, in which the forms of responsible government and an elected majority will be those most appropriate for Kenya or, indeed, for any one of the three local Governments in Eastern Africa. If it be so, in my opinion such a form of government, and an elected majority, for Kenya, or for any one of the local Governments, is perfectly reconcilable with our general scheme for the constitution of the Eastern African territories. It is quite consistent with the plan for the maintenance of a balance between the interests of the communities by preserving Imperial influence through a central authority.

The powers of a responsible government could, under the circumstances, never be as full as those, for example, in some of the existing Dominions, because they would be qualified by the powers of the Central Authority in the manner which we have specified. But the government of Kenya under the Central Authority could be carried on by ministers responsible to the Kenya Legislature, instead of by an official executive, without any departure from the general principles that we have followed in our recommendation. For the discharge of Imperial responsibilities the powers that we have designed for the Central Authority can be relied on to prevent deadlock with responsible ministers, just as much as to prevent deadlock with the Kenya Legislature when that is no longer controlled by an official majority.

### The Proposal in the Report.

An evaluation of certain practical factors different from that of my colleagues causes me to add certain recommendations as to the reconstitution of the Kenya Legislature additional or alternative to those suggested in Chapter VIII, page 190.

We are unanimous that the official majority should cease, and that there must be progressive development in the constitution of the Legislature. We propose that our recommendations for the reconstitution should, if approved, be made the subject of conference between interests concerned, under the guidance of the High Commissioner. I agree that the new constitution proposed in the body of the Report may appropriately be considered in conference as a possible course. But I am so much impressed by its

defects, some of which are dealt with in our Report, that I recommend that certain alternative courses which seem to me preferable should also be considered.

The proposal in the body of the Report is open to the criticism that, while professing to abolish the rule of the official majority (which is our declared purpose) it undoes with one hand what it does with the other. While it abolishes the direct official majority, it replaces it by a state of affairs in which the official element could still control the legislature as long as it could get any one other racial group to support it. The result must be that the government would be carried on in an undesirable atmosphere of bargain, and of the strategy of the "lobby." This would be unfavourable to the growth of healthy politics or of that good understanding between the various communities in Kenya, which is so much to be desired. By provoking jealousies and antagonism it would be particularly adverse to the best interests of any group to which for the time being the Government looked to secure a majority.

There are certain advantages in maintaining a direct official majority, but to deprive the official element of its direct majority and to seek nevertheless to retain its influence over the whole sphere of legislation by enabling it to play off one community against another is to combine disadvantages.

We should seek by all means to avoid any arrangement that would promote antagonisms between racial interests, in a Colony in which racial harmony should be the first object of political endeavour.

In a new country like Kenya, there should be a reasonably stable repository for the controlling influence in the legislature. That most stable is an official majority. If, for the reasons given in our Report, an official majority should no longer be maintained, a stable repository must be sought elsewhere. Under present conditions the only quarter other than an official majority in which it can be found is in a majority of unofficial European members. I include in this both the representatives of the European community and the nominated European representatives of native interests, the addition of whom is recommended in our Report. It is true that their more special interests as representatives will not be the same, but in their more general interests and characteristics they have a similarity that is of great practical moment. They will all be contributories to the force to which Eastern Africa now looks for its advancement along the path of civilisation, the force of European culture and political capacity.

Over the wide range of legislative business that concerns only efficient government and does not involve racial questions, the

group of European representatives may be expected to act together. On other questions the group may be expected to break up, and the official element to regain control. Is not that the very object which we should seek to attain? The unofficial group with the most political experience will be of most influence on all ordinary issues, and the official element will increase its influence on racial issues.

In the background will be the Central Authority, in final control of racial issues. It is to that that we should trust for a balance in racial matters, not to a playing off of racial forces against each other in the legislature itself.

### Alternative Proposals.

The objects which I have described as desirable can best be obtained by a reduction in the number of the official members of the legislature and an increase from four to seven in the number of additional nominated unofficial members whose appointment is recommended in the body of our Report. With so many as eight nominated members, that all should be nominated to represent native interests would be undesirable. It is not necessary in order to secure adequate presentation of native interests, and it would be difficult under existing conditions to find so many persons qualified for the special purpose. I recommend therefore that of the eight, three should be nominated to represent the general interests of the whole community, and that one of these three should be a member of the Indian community.

The following is a comparative statement of the changes proposed. They would maintain the present ratio in representation of 11 : 5 as between the European and Indian communities :—

| | *Present position.* | *Proposed position.* |
|---|---|---|
| British Officials... ... ... ... | 19 | 9 |
| Elected Arab ... ... ... ... | 1 | 1 |
| Nominated Arab ... ... ... | 1 | 1 |
| Elected Indians... ... ... ... | 5 | 5 |
| Nominated to represent general interests (Indian) ... ... ... | 0 | 1 |
| Nominated to represent general interests (Europeans) ... ... | 0 | 2 |
| Nominated to represent Native interests (Europeans) ... ... ... | 1 | 5 |
| Elected Europeans ... ... ... | 11 | 11 |
| Total ... ... ... ... | 38 | 35 |

We have received evidence that suggests that the time is not far distant, if it has not already arrived, at which it will be desirable to increase the number of constituencies. It is a defect of the above arrangement that it allows no elasticity in that respect. If and when it is found necessary to make such an increase, I recommend for consideration the following arrangement, stated as before in a comparative form. This gives three additional seats, whilst preserving the relative influence of groups, and the existing ratio between European and Indian representation.

| | *Present position.* | *Proposed position.* |
|---|---|---|
| British Officials ... ... ... | 19 | 10 |
| Elected Arab ... ... ... ... | 1 | 1 |
| Nominated Arab ... ... ... | 1 | 1 |
| Elected Indians ... ... ... | 5 | 6 |
| Nominated to represent general interests (Indian) ... ... ... | 0 | 1 |
| Nominated to represent general interests (Europeans) ... ... | 0 | 2 |
| Nominated to represent Native interests (Europeans) ... ... | 1 | 5 |
| Elected Europeans ... ... ... | 11 | 13 |
| Total ... ... ... ... | 38 | 39 |

Both of these proposals involve a substantial reduction in the number of officials who sit and vote in the legislature. So far from considering such a reduction a disadvantage to the efficient conduct of business in the legislature, either from the official point of view or that of the community as a whole, I believe that it will be a positive advantage. The chief reason for the maintenance of so many officials in the legislature is to secure a majority of official votes, and that will no longer hold. The actual legislative business of the Government can be more efficiently done by a smaller number of officials who have to become expert in legislative business and methods, than by a larger number with less experience of them, and less need to study them. If the number is found too small to allow of the proper development of the Government's case in respect of legislation, the difficulty can be overcome by providing that certain officials, for example the directors of the various Government services, may sit and speak in the legislature on matters affecting their departments, without the power to vote.

I recommend that these proposals be considered at the contemplated conferences as alternatives to that recommended in the

body of our Report. It appears to me that it deserves consideration whether they do not represent the minimum necessary effectually to associate the immigrant communities with the Imperial Government in the exercise of its trust on behalf of the African population.

### The Natives' Representatives.

The status of the Europeans nominated to represent native interests should be clearly realised and defined. It is intended that they should be full members of the legislature for all purposes, but that they should primarily represent native interests. The natives would be their " constituents," although there was no election. In this respect my proposal is identical with that in the body of the report. The same status and duties are intended for these representatives in both proposals, and the one no more than the other implies that they are not to be regarded as primarily representatives of native interests. They will find themselves in a position familiar to every legislator. They will have to reconcile their duty towards their " constituents ", the natives, with their duty towards the community as a whole. Conscientious legislators have never found it difficult to reconcile these two duties, which are in fact but two aspects of a single duty.

According to my proposal these nominated members will no doubt find themselves in a position of much influence in the legislature over general affairs, but that will assist rather than hinder them in the performance of their primary duty towards the natives. The greater their influence in general affairs, the greater their ability to serve their " constituents ". Nor do I seen any reason to fear that the large measure of influence which I propose for them in general affairs will make them any less willing to champion the special interests that they are expressly nominated to protect. On the contrary, I should expect that the greater influence would give them a greater sense of responsibility.

In another direction, it might be of interest to consider what course should be taken if and when the Europeans nominated to represent native interests came to be replaced by natives; but the interest of the inquiry would be academic. It must be a very long time before the native of Kenya is capable of protecting his own interests in the central legislature. Further, what we are recommending as to the Kenya legislature is admittedly a first stage only in a process capable of development. By the time natives are fit to sit in the legislature, the legislature will probably have become something very different from what we now recommend. The conditions under which the event in question will come to pass, if it ever comes to pass, are thus doubly unascertained. It is a contingency upon a contingency, and we had better leave it to be dealt with by those who will know hereafter how and when it happens.

## Unofficial Members as " Ministers."

Consideration of the arguments for and against the admission of unofficial members to the position of executive " ministers " as set out in Chapter VIII, pages 199-201, leads me to the conclusion that the appointment of one such minister should be contemplated forthwith, if only by way of an experiment. It is only by experiment that it can be found whether a qualified person will accept such a position. If he will, the benefit to be derived from the education of the unofficial community in a sense of responsibility and trusteeship far outweighs every contrary consideration. If such an appointment be made, the " minister " appointed will have to accept full " Cabinet " responsibility for all the acts of the Government, and thus separate himself from the unofficial group. To maintain the relative influence of groups, that would necessitate the reduction in my first proposal of the numbers of official members to eight, of whom one would be the " minister " in question.

## The Indian Claim to a Common Franchise.

In Chapter 9 (which deals with the Indian claim to a common franchise) the following sentence that appears on page 210 appears to me to carry the expression of our opinion further than can be justified by our argument in the rest of the chapter—

> " the ideal to be aimed at is a common roll on an equal franchise."

In so far as this sentence may be taken as an expression of opinion that the system of a common roll for European and Asiatic voters is that which is ideally best suited to the conditions of Kenya, I am unable to agree. The advantages of a communal system under the conditions are very great, and I am unable to go further than the argument of the rest of the chapter, the effect of which is to leave things in this matter as they are for the present, and to trust to the future to evaluate the relative weight of the arguments stated for communal representation or a common roll, and the effect upon the problem of conciliation and of growing confidence and stability.

E. HILTON YOUNG.

17*th October*, 1928.

## *MINUTE BY THE OTHER MEMBERS OF THE COMMISSION ON THE CHAIRMAN'S ADDITIONAL RECOMMENDATIONS.*

We think it right to state briefly the reasons which prevent us from agreeing with the Chairman's additional recommendations. The view which we have tried to make clear in the Report is that the Imperial Government cannot divest itself of the obligation of trusteeship for native interests until the natives cease to be " minors," in the sense that they themselves can take their proper share in the responsibilities of government. Until that time, which is beyond our present horizon, the Imperial Government must retain a sufficient control over each of the territories to enable it to fulfil its obligations. In our view this position is incompatible with the establishment of responsible government in the accepted sense of the term, for, owing to the all-pervading nature of " native affairs," the control must be capable of effective use over the whole range of government. This being so, we believe that whatever constitutional device is adopted the institution of a government which is to be responsible to a local electorate and yet subject to an outside control of this nature would inevitably produce the familiar form of conflict which must result either in the breakdown of the outside control or the withdrawal of full responsibility. Past history indicates that the former is the more likely result and for this reason we cannot recommend any present advance into a position which must inevitably lead to it. The scope for responsibility to be allowed to the local communities must in all matters which affect more than their own exclusive interests be that of partnership with the Imperial Government.

Holding this view we have thought it right to say so in unmistakable terms. But we are in agreement with the Chairman in not wishing to prejudge a future which cannot be foreseen, and while our proposals are carefully designed to avoid committing the Government to an advance towards responsible government, they could equally be said to close the door finally on no line of political advance which the future may prove to be desirable. For the present, however, if we are asked to admit the possibility of responsible government, our answer must be that we can see no escape from the dilemma, that under it the Ministry must be responsible either to a purely European electorate which would constitute an oligarchy in the guise of democracy, or to a wider electorate for participation in which the natives are not yet, and may never be, ready.

As regards the position of the Legislative Council in Kenya, we believe, for the reasons given in the Report, that as a first step it would not be safe to go beyond the arrangement which we have

recommended. Further steps must be dependent on the experience gained during the first. We have not been influenced by the same considerations as the Chairman because we do not think it necessary during the first stage to look for a stable repository of power in the Legislature as an alternative to the official Government. For such a period as we can envisage, the latter must, in our view, remain the " stable repository " and we do not think it wise to do more than to open the way for representatives of the unofficial communities to have an increasing influence on the policy of the Government. Apart from this we definitely think it wiser to leave the Government in the position of holding a casting vote as between any of the racial groups until the power of the Central Authority has been definitely demonstrated in practice. As to the dangers of " lobbying " and bargaining to which the Chairman has referred, it must be remembered in the present case that the Government in power represents the irremovable official party, and that the conditions are very different from those where the Government itself is dependent for its existence on the votes of the electorate. Moreover, we do not think it right to be deflected from the course which on all other grounds appears to us just and wise merely on the assumption that the unofficial parties will abuse the opportunity for greater influence which our proposals open to them.

We must add that we find ourselves unable to support the Chairman's proposals both because we think them unlikely to achieve their professed object, and also because the profession of this object appears to involve dangerous implications. As to the first point, if stability is being sought, no arrangement appears to us less likely to be stable than that of an irremovable official executive confronted by a homogeneous opposition with a majority in the Legislature. As to the second point, the representation of native interests by Europeans is necessary under the Chairman's plan in order to ensure the unofficial European majority on which he relies for stability. We feel grave doubt whether it is possible for these representatives to fill the double rôle of acting as champions of native interests, and at the same time of combining with the other European members to constitute a stable party in the Legislative Council.

It is at any rate obvious that the stability which is claimed for the plan is dependent on the assumption that the European representatives of native interests will normally vote with the other Europeans.

The whole structure of our recommendations would be undermined by any suspicion of such an implication. It is true that under our proposals, as well as under the Chairman's, native interests will in the first stage be represented by Europeans nominated for the purpose; but, whereas this arrangement is an essential feature of his scheme, it is only accidental to ours, and if

in future suitable natives become available they could within the framework of our plan replace nominated Europeans. If the possibility of such a development is accepted—as it surely must be if the declared policy of His Majesty's Government is to be carried out—it appears to us that the foundation of the Chairman's proposals falls away.

It is true that it may be a long time before natives are fit to sit in the Legislature, but there is already a growing demand on the part of the natives for a voice in political affairs, and it will become more and more necessary for the European representatives of native interests to keep in touch with native opinion and identify themselves with it in the Legislature. In so far as they do this they cannot be regarded as a stable element in the European group.

R. A. MANT.
GEORGE SCHUSTER.
J. H. OLDHAM.

17*th October*, 1928.

## CHAIRMAN'S REPORT ON THE CENTRAL AFRICAN TERRITORIES.

According to our terms of reference, we are to consider which of the Central and Eastern African territories of the British Empire can now or at any time be brought within any closer union that we may recommend. In an earlier passage of the White Paper* the possibility is referred to that closer union may be found to be practicable in the first instance only between Kenya, Uganda, and Tanganyika, leaving it open to Zanzibar, Nyasaland, and Northern Rhodesia to come into any new structure as and when the development of communications permits.

Reference has been made in Chapter V of our Report, dealing with communications, to the lack of rail and road communication between Nyasaland and Northern Rhodesia and the Eastern African group.

Our investigations of conditions in the two groups of territories have brought me to the conclusion that in the present state of communications the main interests of Nyasaland and Northern Rhodesia, economic and political, lie not in association with the Eastern African territories but rather with one another and with the self-governing Colony of Southern Rhodesia.

Livingstone and Zomba are still almost as remote from Dar-es-Salaam and Nairobi as they are from London, and there can be no reality in any arrangement for closer union between regions between which communications are still so imperfect. Except for certain specific purposes, to which I shall refer later, no closer union between the North-Eastern group of territories and the Central group can be considered practical at the present time. How soon the time will come at which it will be useful for the two groups to consider the co-ordination of their interests and governments is again a matter of communications; the faster the communications are developed between the two, the sooner will come that day.

Nyasaland and Northern Rhodesia are closely related, each to the other, economically, geographically and ethnologically, and the link is continuous to the self-governing Colony of Southern Rhodesia. This Colony is not included in our terms of reference and any treatment of its problems here would be inappropriate; but we have had the benefit of close consultation with its Governor and Ministers, and at their suggestion and by their help we have been enabled to inform ourselves fully of the manner in which these problems present themselves to public opinion there. Nevertheless, since the conclusions I have

* Cmd. 2904.

based upon that information necessarily involve the political destinies of Southern Rhodesia, a full and free treatment of them would lead me into regions beyond our competence. For this reason I confine myself, in dealing with the political future of Nyasaland and Northern Rhodesia, to an outline only of the position as it presents itself. To do more would necessitate an inappropriate discussion of the concerns of a self-governing territory.

Much of what we have said in our Report, on the North-Eastern territories, is applicable to the Central territories also. We have dealt therein with the essential interests of native African communities and of white communities settled in Africa; with the institutions of government suitable to native communities, and with those suitable to native and white communities living in contiguity. We have dealt with the principles applicable to the co-ordination of services common to adjacent British territories. To cover the same ground again in relation to the Central territories is unnecessary. The task can be performed with more brevity and more clearly by referring to what has already been written and extending that, as the basis of my conclusions, to the Central as well as to the North-Eastern territories. My observations concerning the Central territories can thus be limited to defining the practical application of those principles in this second case.

## The Need for Co-ordination.

### *Native Policy and White Settlement.*

The need for co-ordination of policy and services already apparent in the Central territories is not dissimilar from that which we have described in the North-Eastern territories. There is an urgent need for co-ordination in the matter of native policy and white settlement, and the need for co-ordination of services, if not so marked or widespread as in the North-Eastern territories, is already substantial, and must inevitably increase with increasing civilisation.

What has been said in previous sections of this Report about the essential interests of natives and of European settlers, in relation to reserves, land policy, application of public revenues, labour, education, and development of local self-government, is, broadly speaking, applicable to the Central territories also. There are special circumstances also that make the co-ordination of native policy a matter of particular interest in the Central territories.

### *Land.*

With regard to land, for example, the areas in which white settlement is to be permitted and what areas should be definitely reserved for permanent occupation by the natives, are matters of fundamental importance which should not be decided for one

territory without reference to the others. The land question is complicated both in Northern Rhodesia and Nyasaland by the presence of large concessions owned by the British South Africa Company and other British corporations, the British South Africa Company holding 2,775,260 acres in North Nyasaland and 2,758,400 acres in the Tanganyika district of Northern Rhodesia, and the North Charterland Exploration Company 6,400,000 acres in the East Luangwa district of Northern Rhodesia. On such estates in both Protectorates arises the difficult problem of dealing with the rights of resident natives—a matter which should be decided on uniform principles, the main object being to secure the title of the natives to the land in the reserves and to give them as firm a right of occupancy as possible in the areas covered by the concessions.

*Labour.*

Both Northern Rhodesia and Nyasaland have a surplus labour population which produces a continual stream of emigration to other territories. Only small numbers of natives migrate for labour purposes from Nyasaland and Northern Rhodesia into Tanganyika and the other Northern territories, whereas the labour migration from these countries to Southern Rhodesia and South Africa is considerable. It is estimated that 30,000 natives of Nyasaland are absent every year, mainly for work on the mines in the Rhodesias and in South Africa. Northern Rhodesia, after absorbing considerable numbers from Nyasaland, sends her own overflow to Southern Rhodesia, Tanganyika, and the Belgian Congo. 11,000 natives of Northern Rhodesia were recruited in 1927 for work outside the Protectorate, and 31,000 left Northern Rhodesia independently to work in Southern Rhodesia and South Africa. It is desirable that these migrants should find themselves under the same general conditions in the various territories under British administration, particularly in such matters as registration and penalties for breach of contract. Moreover, the white settlers are closely interested in the regulations of these labour movements. In Southern Rhodesia, for instance, both the mining and farming industries are dependent to a large extent on imported labour, and in Northern Rhodesia one of the strongest reasons for the opposition to partition is the fear of being deprived of the labour supply from the north-eastern portion of the Protectorate. On the other hand, the planters in Nyasaland are afraid of being drained by their neighbours.

The labour problems of these territories must ultimately be dealt with as a single problem. There are large conglomerations of native labourers in the mining camps, who have been drawn from divers tribes and divers territories, and are severed, for the time being at any rate, from their own tribal organisms. Their migrations need common supervision. Attempts are being made to arrange for the control of

such matters as sanitation, etc., in camps through native headmen appointed *ad hoc* by the mine managers, and it is possible that this may contain the germ of some embryonic form of local administration; but there are obvious difficulties in the way of securing obedience to headmen who have no traditional authority behind them, and these difficulties will increase with the expansion of the mining industry and of the size of the mining camps. These problems require careful comparative study in Northern and Southern Rhodesia, with a view to utilising the experience of each for the benefit of the others.

*Local Government.*

With regard to the development of local government among the natives, the Central territories are faced with much the same problems as the Northern, and have the same need for clarification and unification of policy.

*Agriculture.*

The chief agricultural industry in Nyasaland, both for Europeans and natives, is tobacco growing, and this interest is shared with North-Eastern Rhodesia, where the tobacco industry has for some years been established in the neighbourhood of Fort Jameson, and with Southern Rhodesia. In 1927 Nyasaland exported 15,467,200 lb. of tobacco, valued at £780,964; Northern Rhodesia exported 3,302,025 lb., and Southern Rhodesia produced 19,175,000 lb. of tobacco. The three countries are therefore interested in securing facilities for marketing tobacco, and in research into the prevention of tobacco diseases and the curing and grading of the crop.

Further, the most convenient and economical route for the exportation of tobacco from the Fort Jameson district of North-Eastern Rhodesia is by road to Blantyre and thence by the Nyasaland Railways to Beira, and this is likely to be established as the regular traffic route from North-Eastern Rhodesia if the contemplated extension of the Nyasaland Railways towards Fort Jameson is carried out.

*Communications.*

Co-ordination is required as to communications. This is rendered the more urgent by the circumstances that in both Nyasaland and Northern Rhodesia railways are the property of private companies, subject to a measure only of Government control; and that Nyasaland is at present entirely, and Northern Rhodesia partly, dependent for the export of its produce on the port of Beira, which is not only in private hands but in foreign territory.

Both as regards methods of administration and policy in development, plans for the future should be worked out under a co-ordinated local control.

*Mining.*

Both Northern and Southern Rhodesia are highly mineralised, and large mining areas are being actively developed by private companies. The mineral resources of Nyasaland have not yet been fully investigated, though coal has been discovered. The British South Africa Company, however, own mineral rights in their large concessions in the north of the Protectorate, and in the event of mineral investigation being carried out in that area it would be desirable that the Government of Nyasaland should make the fullest use of the experience of the Governments of Southern and Northern Rhodesia in matters of mining legislation and administration.

*Other Common Services.*

In the matter of other common services also the need for co-ordination, if not so urgent as in the case of the services of the Northern territories, is nevertheless already existent and must increase. The three territories have common interests in the sphere of administration, strongly resembling those which are common to the three Northern territories. Already in the case of Nyasaland, Northern Rhodesia, and Southern Rhodesia, as in that of Kenya, Uganda, and Tanganyika, the natural similarities of the territories find their expression in many common activities. The Governments of Northern and Southern Rhodesia are jointly represented (with Bechuanaland) on a Railway Commission to control rates on their privately-owned railway system. Northern Rhodesia and Nyasaland are common owners of one telegraph system. The immigration Departments of Northern and Southern Rhodesia work in close liaison.

*Defence.*

The sphere in which the common interests are strongest is perhaps that of defence.

The defence forces of Nyasaland consist of the 1st Battalion, King's African Rifles. In Northern Rhodesia the defence forces consist of the military branch of the Police, which is trained on the lines of the King's African Rifles. In Southern Rhodesia there is a European defence force, and native troops are not employed.

The reasons in favour of a common control of defence which have been stated in respect of the Northern territories apply with equal force to the case of the Central group.

The military problem of Nyasaland and Northern Rhodesia is one : they form one block of British territory divided by no natural

obstacle, and considerations of economy and convenience suggest that they should be treated as one, both for the defence of frontiers and for internal security. The *desiderata* of an efficient distribution of posts and a centralised reserve can only be secured by co-ordinated local control and ultimately a single command.

It may be noted in this connection that military posts in North-Eastern Rhodesia could more easily be controlled and supplied from Zomba than from Livingstone, as during a considerable portion of the year the only way of reaching Fort Jameson from Livingstone is via Beira and Nyasaland.

The difference in the nature of the forces in the three territories is real in the case of Southern Rhodesia only. It presents no obstacle to a co-ordinated control as regards the general policy of defence and ultimately a single command although it necessitates local autonomy in the administration of the forces.

*Research.*

In the matter of research, the reasons already given in favour of common control apply here with no less force.

All three territories have much to gain from the results of co-ordinated research into human and animal trypanosomiasis and methods of combating the invasion of the tsetse fly. Many of the diseases which affect the native population are common to all the territories and offer a wide field for common effort in research. In the two Rhodesias (and to a less extent in Nyasaland) European and native cattle owners are interested in research into animal pests and diseases. Attention has already been drawn to the common interest of the three territories in research work on the diseases of tobacco.

The co-ordination of research throughout the Empire generally is now under consideration by the Imperial Government, and broad schemes are being worked out. Whatever those schemes may eventually be, the conditions and problems of Nyasaland and Northern Rhodesia and of Northern Rhodesia and Southern Rhodesia are so closely akin that they would benefit by a closer co-ordination than exists at present, and they could participate more conveniently as a group than as units in any comprehensive Imperial organization that may be established. Without co-ordination there is the same danger of dispersion of effort and duplication of staff and plant to which attention has been drawn in the case of the Northern territories.

*Customs.*

The tariff interests of the three Central territories, conditioned by their general similarities, show no marked differences. They are

more like each other in this matter than they are like their neighbours: and the closer they draw together the stronger they will be to negotiate with those neighbours.

In Nyasaland imports are subject to a general *ad valorem* duty of 15 per cent., with certain exceptions such as tobacco, wines, etc., on which there are specific duties: there is also the usual list of exempted articles.

The main portion of Northern Rhodesia, which is within what is known as the "Zambesi Zone," is a party to the Customs Union of South Africa, which embraces the Union of South Africa, Northern and Southern Rhodesia, the Bechuanaland Protectorate, Swaziland, and Basutoland. Under the present agreement, negotiated in 1924, Northern Rhodesia receives 12 per cent. *ad valorem* on removals from the Union of South Africa of imported goods, and 6 per cent. on removals of goods manufactured in South Africa. Unmanufactured produce of South Africa is not subject to duty.

The Union of South Africa charges the actual duty at Union rates due on removals from Northern Rhodesia of imported goods, but allows entry of Northern Rhodesia produce free of duty. The minimum sum payable in respect of Customs by the Union of South Africa to Northern Rhodesia is £12,500 per annum.

The whole of Nyasaland and a small portion of Northern Rhodesia, which is roughly that portion of North-Eastern Rhodesia which lies to the north-west of a line from Fife to Ndola, is for Customs purposes in the Conventional Basin of the Congo: the remainder of Northern Rhodesia is in the Conventional Basin of the Zambesi.

By the Berlin Treaty of 1885 and that of St. Germain-en-Laye of 1919, countries within the Conventional Basin of the Congo must observe equality of trade with all countries signatories to these treaties: hence, there can be no preference in favour of British goods in Nyasaland or in that small portion of Northern Rhodesia which is within the Congo Basin.

In Northern Rhodesia, although little trade passes from the Zambesi to the Congo Basin, it is necessary to check the removal of goods within the territory from one zone to the other, notwithstanding the fact that the duties imposed are in almost all cases similar: this procedure is a source of inconvenience to the merchant and expense to the Government.

Much the same question, therefore, confronts Nyasaland and Northern Rhodesia in relation to the revision of the Berlin Act in 1931 that confronts the Northern territories. Which is the better for them, Imperial preference or African free trade? It is beyond our functions to attempt an answer to the question, although it is obvious that the right to send goods through Beira (in Portuguese territory) without any duties in transit, a right

secured by conventions and treaties, is an absolutely vital one to Nyasaland and Northern Rhodesia. But the Central territories should design their policy on the matter and speak in the coming negotiations with one voice.

Some small interchange of goods between Nyasaland and Salisbury is now beginning; otherwise there is at present little trade between Nyasaland and the Rhodesias. In 1927 the value of all imports to Nyasaland from the Union of South Africa totalled £83,247; from the two Rhodesias £36,405; from Kenya £1,049; from Tanganyika £1,293; amounting to £121,994 out of a total from all countries of £987,314.

In the same year the value of domestic exports from Nyasaland was, to the Union of South Africa £557; to the two Rhodesias £957; to Tanganyika £64; to Kenya £672; a total of £2,250 out of a total to all countries of £929,546.

The trade of Nyasaland with the Northern territories is not likely to increase to any considerable extent unless railway communications are developed southwards to or towards the north end of Lake Nyasa from the Tanganyika Central Railway. The trade between Nyasaland and South Africa and the Rhodesias is also likely to depend to a large extent on improvements in communications. There is, however, a considerable amount of transit trade through Nyasaland to the Fort Jameson area of Northern Rhodesia, which is likely to increase in the event of the construction of the Zambesi Bridge and the extension northwards of the Nyasaland railway system.

Between the Rhodesias, on the other hand, intimately linked by their railway systems, the interchange of goods is important, as shown by the following figures taken from the Customs return of Northern Rhodesia for the year 1926:—

> Imports from the Union of South Africa, £166,000; from Southern Rhodesia, £258,884; a total of £424,884 out of a gross total from all countries of £1,667,584. Exports to the Union of South Africa, £161,439; to Southern Rhodesia, £65,543; a total of £226,982 out of a gross total to all countries of £484,382.

As practically all the Northern Rhodesian imports and exports, except those to and from the Fort Jameson area, must pass through Southern Rhodesia and South Africa, and a large proportion of her trade is with those countries, mutual free trade is of primary importance between the Rhodesias. Between Nyasaland and the Rhodesias it is not yet a matter of much significance. There is, however, no such difference between the present tariffs or methods of taxation of Nyasaland and the Rhodesias as would necessitate any dislocation of their revenue systems in the event of the adoption of a uniform tariff. It may be noted in this connection that income tax is in force in all the Southern territories,

whereas in the Dependencies of the North-Eastern group, which have no income tax, import duties are proportionately higher. The inclusion of Nyasaland in any Customs Union of the North-Eastern group might, therefore, give rise to difficulties.

## A Central Authority.

In our Report on the North-Eastern African territories we have given reasons for our view that co-ordination of common interests and control of common services is best effected by a Central Authority on the spot, in constant touch with local opinion and continuously conversant with local conditions. In accordance with that view I recommend that a beginning should be made with the constitution of a Central Authority for the Central territories, with powers of co-ordination and control in the case of Nyasaland and Northern Rhodesia similar to those proposed for the Central Authority of the North-Eastern group.

I do not under-estimate the importance of securing and maintaining uniformity in such matters as native policy in all British territories in Africa, and it is hoped the day is not far distant when, as a further stage, machinery may be devised for the closer union of the North-Eastern and Central groups. It would, however, be impossible for the Central Authority whose institution we have suggested for the Northern territories to maintain close touch with the trend of events and current opinion in Nyasaland and Northern Rhodesia, nor would it have the time to devote to the difficult problems which await solution in the South in addition to its duties in the North. For the present, joint consultation between the North-Eastern and the Central groups on such matters of common interest as defence, research, boundaries, and communications must suffice.

The situation in the Central territories is not yet ripe for the formation of a federal authority with legislative powers. What is proposed is that here as in North-Eastern Africa a beginning should be made by the establishment of a Central Executive Authority. This can best be done by delegating to the Governor of Southern Rhodesia some of the powers of control at present exercised by the Secretary of State and thus placing him in a position analogous to that which we have proposed for the Governor-General in the Northern territories. He would thus be able to maintain uniformity between the native policies of Northern Rhodesia and Nyasaland and to ensure the continuous and active observance of the principles of trusteeship to which His Majesty's Government is committed.

His position as a Governor of a self-governing State gives him a position of considerable detachment which would be of advantage to him in exercising his functions as regards Nyasaland and Northern Rhodesia.

## Powers of Central Authority.

I recommend that in the first instance the Governor of Southern Rhodesia should be appointed High Commissioner for Nyasaland and Northern Rhodesia with the same general powers as those designed for the Governor-General of the North-Eastern group, and that, as in the case of the Governor-General for the Northern group, he should be endowed with the supervisory powers at present exercised by the Secretary of State for the purpose :—

(*a*) of safeguarding Imperial interests;

(*b*) of ensuring the active and consistent application of the principles which we have stated in the earlier part of our Report in matters of native policy and the relation of native and immigrant communities;

(*c*) of co-ordinating policy and administration in matters of defence, communications, customs and research.

I contemplate that the High Commissioner should be able to achieve these effects by virtue of his general executive control over the Governments of Nyasaland and Northern Rhodesia and by summoning conferences to be held at Salisbury between representatives of the legislatures of the two Protectorates and of the legislature of Southern Rhodesia in cases of differences on important matters of policy.

## Readjustment of Boundaries.

In recommending that an immediate beginning be made with the institution of a Central Authority for the Central group, I have been prompted by the hope that its influence will facilitate the readjustment of boundaries as between Nyasaland, Northern Rhodesia, and Southern Rhodesia which is demanded in the interests of economy and convenience of administration.

### *Nyasaland and North-Eastern Rhodesia.*

Nyasaland, which has a land area of about 39,000 square miles, has a native population of 1,290,885, with 1,716 Europeans (including 211 officials) and 980 Asiatics. It is generally agreed that there is little room for further white settlement and that, on climatic grounds, Nyasaland cannot be regarded as a " white man's " country. In this respect Nyasaland may be compared with North-Eastern Rhodesia, where, although there is a fair-sized European community in the East Luangwa district, it is insignificant in comparison with the native population, which is denser in that district than in any other part of Northern Rhodesia. There is no natural division between Nyasaland and

North-Eastern Rhodesia, and many of the native tribes of North-Eastern Rhodesia are closely allied to the tribes of Nyasaland, notably the Angoni in the neighbourhood of Fort Jameson.

The arguments in favour of an administrative union between the eastern area of North-Eastern Rhodesia and Nyasaland are numerous and strong. They have been well ventilated, and have become familiar to the European residents in both territories. The line of communications and trade route from Fort Jameson and the Luangwa Valley is at present through Zomba to Beira, and is likely to remain so. The export tobacco crop of North-Eastern Rhodesia and the Nyasaland Railway are necessary to each other. Neither at the moment could afford to do without the other. Conversely, North-Eastern Rhodesia imports come through Nyasaland. The Nyasaland-Northern Rhodesia border is drawn without any relation to tribal distribution: it cuts through the Achowa and Angoni tribes. It would be better both for tribes and administrators to include them under one government. Under present circumstances the arbitrary nature of the frontier-line dividing these tribes is a hardship on the tribes, affecting their traditional intercourse, and is a difficulty in the way of the efficient discharge of essential government services, such as the prevention of human and animal disease.

The differences between Nyasaland and the eastern part of North-Eastern Rhodesia that stand in the way of their administrative union are political. Nyasaland has a land tax; North-Eastern Rhodesia has none. North-Eastern Rhodesia has freehold; Nyasaland has not. North-Eastern Rhodesia elects its representative in the Legislative Council; in Nyasaland there is no popular election. These difficulties are by no means insuperable. It would not be difficult for Nyasaland, on the incorporation of the territory, to recognise existing freeholds, exempt the new province from land tax, and admit some measure of election in the choice of representatives for the legislature.

*Central-Northern and Southern Rhodesia.*

There are circumstances besides mere contiguity or history that bind central-Northern and Southern Rhodesia together and point towards an administrative union.

Northern Rhodesia, which has an area estimated at about 288,000 square miles, contains a native population of 1,237,486, 5,581 Europeans (including 291 officials) and 60 Asiatics.

The central area of Northern Rhodesia, through which the railway passes, contains the bulk of the European settled community. It is traversed by the railway-line from south to north, and is readily accessible from Bulawayo and Salisbury. The natives of the southern portion (the Bateka, the Ba-Ila and allied tribes)

are akin to those in Southern Rhodesia, and there is free intercourse between the tribes on either side of the Zambesi. The natives in this section have reached a higher stage of development than those of other parts of Northern Rhodesia, as they have been in close contact with Europeans for a number of years.

Northern Rhodesia was colonised from the south through Southern Rhodesia. It may be said to be the child of Southern Rhodesia, and there is the hereditary resemblance that might be expected between parent and child. The civilization of central-Northern Rhodesia in type and incidence is identical with that of Southern Rhodesia.

The European settlers are in close touch with their compatriots in Southern Rhodesia, and many of them have migrated to Northern Rhodesia from the south. Their numbers are gradually increasing and the conditions of the belt of country on both sides of the railway are continuously approaching those of Southern Rhodesia.

The chief economic interests of central-Northern and Southern Rhodesia are identical, and particularly their interests in the development of minerals. It is no doubt their similarity in this respect that has produced an important political similarity; they have the same tariffs, markedly different from that of the Union of South Africa in being substantially lower. The railway system in Northern Rhodesia is a continuation of that of Southern Rhodesia. Southern Rhodesia lies across the present export trade routes of Northern Rhodesia, to the south and south-east, and Northern Rhodesia lies across the possible future export trade route of Southern Rhodesia to the north-west.

Apart from any matter of sentimental or of hypothetical advantage, there are concrete benefits to be secured by the administrative union of central-Northern and Southern Rhodesia. Both territories, but Northern Rhodesia in particular, would gain by the improvement of public credit that would attend the formation of the larger unit; for private undertakings also credit and capital would flow more freely by the extension of financial association. With a single central government there would be a saving in expenditure on headquarters staff and accommodation. Agricultural interests, both native and European, and mining interests, in Northern Rhodesia would benefit by securing the services of the apparatus and staff of the departments of government of Southern Rhodesia, larger and better equipped than those of Northern Rhodesia. The abolition of boundaries would facilitate their access to the means of knowledge. This is perhaps the most direct and substantial benefit that Northern Rhodesia would derive from the union. For the development of Northern Rhodesia minerals in particular there would be marked benefit by association with the fuller services of technical geology and mine inspection that Southern Rhodesia can supply. The agriculturist would benefit by a more active policy

for the development of the resources of the soil, carried out by a larger headquarters staff. But the benefit of most ultimate moment would be the co-ordination of native policy between two areas that are divided by arbitrary political barriers only.

Southern Rhodesia lies between the Union and the Protectorates north of the Zambesi, and her geographical position would admit of political amalgamation in either direction. When a referendum was taken in 1923 on the question of joining the Union on terms offered by the Government of General Smuts, there was a considerable minority (about 40 per cent.) in favour of this step; but we were informed at Salisbury that a large part of this minority has changed its mind since the present Government in South Africa came into power, and that the country has now come to look north instead of south. On such matters it would be wrong to venture an opinion otherwise than with the utmost diffidence, but it seems to me that the policy which now finds general favour is a " Greater Rhodesia " and informal discussions have indeed already taken place between representatives of the two territories as to the terms on which amalgamation might be effected. Some of the advocates of this policy look forward to the inclusion, at some future time, of Nyasaland in the Greater Rhodesia.

*Suggested Redivision.*

All these considerations support the suggestion, already widely canvassed locally, that for purposes of convenient administration it is desirable to divide Northern Rhodesia into three, amalgamating the North-Eastern portion with Nyasaland, the central section and the Kasempa district with Southern Rhodesia, and leaving Barotseland as a native area.

*Local public opinion.*

Such a redistribution of the areas accords with the facts of the situation as outlined above, and should be the ultimate goal in the final settlement of the administrative system of the Central territories. In a matter of this kind, however, local opinion must be consulted.

In Southern Rhodesia, as said, it appeared to me that there was a general opinion in favour of union with Northern Rhodesia, coupled with some anxiety as to the effect of the inclusion within its boundaries of a Protectorate too closely associated with the Northern territories, which were predominantly " native " in outlook, and as to the effect on the Colony's financial position of combining forces with a Protectorate which has only recently become self-supporting.

Opinion in Nyasaland has in my opinion not yet given any very deep consideration to the question of political affiliations. The Merchants' Association at Blantyre and the Chamber of Agriculture and Commerce, who represent the trading interests and the

large agricultural companies and firms, expressed an opinion in favour of eventual federation or closer union with the northern territories when the improvement of communications renders this possible. On the other hand, the smaller farmers and planters, so far as I could gather from the representatives of their Associations, are generally more in sympathy with what they conceive to be the white policy of Southern Rhodesia, and are opposed to any union with the north. The majority of them, however, consider that in any case the first step should be a union with Northern Rhodesia, leaving the question of federation with Southern Rhodesia for future consideration.

Public opinion in Northern Rhodesia, as far as I could judge the weight of it, was generally in favour of amalgamation with Southern Rhodesia. In Livingstone it is apprehended that the change would remove the seat of government and thereby reduce the volume of trade and cause a serious fall in the value of landed property. On the other hand, the representatives of the mining interests and agriculture are generally in favour of it. Those interests are closely affected by such matters as railway rates in the two Rhodesias. It would obviously be more convenient for them to discuss these matters with one government instead of two. The spokesmen of the farming interests in the western part of the territory who appeared before us were in favour of the scheme. The settlers in the East Luangwa district would probably prefer a closer connection with Zomba and Blantyre than with Salisbury. To sum up, my impression is that public opinion in the area served by the railway, with the exception of Livingstone, is substantially in favour of closer union with its southern neighbour.

The uncertainty of public opinion on this subject, in the present absence of effective co-ordination, is not surprising. The establishment of the Governor of Southern Rhodesia as the Governor-General for Northern Rhodesia and Nyasaland and as the local arbiter under the Secretary of State in matters of native policy, both as regards those Protectorates and the native State of Barotseland, should go far to create mutual confidence between the three territories and to remove in time the objections which are undoubtedly felt in certain quarters to the territorial readjustments which have been suggested.

*Conference.*

In the meanwhile a decision as to the final grouping of the three territories or as to the closeness of the union into which they may with advantage finally be included, must not be hastened or forced. All that can be done at the present time is to make a beginning with the satisfaction of needs for co-ordination, with studious care to avoid committing the territories to steps that time may show to have been mistaken, and that may be difficult to

retrace, and to take practical steps to bring public opinion as to the redistribution of boundaries to a head.

I recommend that one of the first tasks of the High Commissioner should be to call a representative conference to discuss the question of territorial readjustments in all its bearings. At the same time I consider that it should be an essential condition of the amalgamation of Northern with Southern Rhodesia that Northern Rhodesia should be divided in the manner suggested above, namely, that the central area only should be amalgamated with Southern Rhodesia, leaving North-Eastern Rhodesia to be incorporated with Nyasaland. As already stated the East Luangwa district is isolated from Livingstone and has easier communications with Zomba. It would be still more out of touch with a Government at Salisbury. Any decision should be without prejudice to the possibility that at some future time it may be found convenient to administer the area of North-Eastern Rhodesia in the neighbourhood of Lake Tanganyika as part of Tanganyika.

I consider that on such an amalgamation the status of Barotseland as a native area (subject to observance of the agreements with the late Paramount Chiefs Lewanika and his successor) should be similar in relation to Greater Rhodesia to that which we design for the native areas of Kenya in relation to Kenya: that is to say, it should be administered as an inalienable native reserve by the Government of Rhodesia.

**Financial position of Nyasaland in relation to Closer Union.**

The financial situation of Nyasaland is an obstacle in the way of closer union between that territory and its neighbours. The guarantee of the Trans-Zambesia Railway debentures causes a deficit, the deficit a subsidy from Imperial funds, and the subsidy a measure of Treasury control. Before Nyasaland can enter on equal terms into any partnership, that control must cease. Development of communication and natural resources may be expected to bring it to a natural end in course of time. It is most desirable that the time should be advanced by a liberal attitude on the part of the Imperial Government towards a Colony that has been something of a Cinderella in the past.

Not only on these grounds, but in the general interests of the inhabitants of Nyasaland, white and black, and of the Empire, of which it might and should be a more prosperous member, Nyasaland needs a more forward policy of development. Both on the spot and at home too little confidence has been shown in its future. Not only should communications be developed in the manner dealt with elsewhere, but advance should be made in the internal administration. For instance native taxation, which is notably lower than elsewhere, might well be raised in order to provide better services for the natives, particularly agricultural services and education.

I recommend that as an incident of closer union with the Rhodesias an impetus should be given to the development of Nyasaland by the removal, or at least the relaxation, of the restriction under which half the revenue in excess of £300,000 in any year must be credited to the Imperial Treasury in redemption of the loans which the Protectorate has received to enable it to meet the guarantee of the debentures of the Trans-Zambesia Railway Company.

**Co-operation between Central and Eastern African groups.**

Amongst the problems common to the North-Eastern and Central African groups, boundary problems need the most immediate attention. What has been said about the artificial nature of existing boundaries in relation to the North-Eastern African territories, might be repeated verbatim about the Central African territories might be repeated verbatim about the Central African following alterations should be considered in conference at an early date—

(*a*) The transfer for administrative purposes of an area of Tanganyika round the head of Lake Nyasa to Nyasaland. The advantage to be gained is to facilitate the development of communications in the area from Lake Nyasa. The area is more easily reached from Zomba by Lake Nyasa than from Dar-es-Salaam or any other centre in Tanganyika.

(*b*) The similar transfer of the Abercorn area round the foot of Lake Tanganyika from Northern Rhodesia to Tanganyika; and for similar reasons. It can most easily be reached and developed from Lake Tanganyika.

Both these matters depend for their decision on the future of railway construction in Tanganyika, Nyasaland, and Northern Rhodesia. But the impetus given to the establishment of a definite policy in the matter of development of communications by the formation of North-Eastern and Central groups to the extent proposed may be expected without undue optimism so to accelerate the definition of railway policy as to provide before long the basis necessary for a decision of boundary questions.

**Future developments.**

The machinery proposed for co-ordinating policy between Nyasaland, Northern Rhodesia, and Southern Rhodesia may be expected to lead in due course to a closer union in which certain specified common interests including defence, communications and research would be controlled by a Central Legislative Council which might be established concurrently with the rearrangement of the boundaries of the three territories.

On such a Central Legislative Council, the self-governing Colony of Greater Rhodesia would have predominant representation by virtue of its material resources and the numbers of its white population.

In the event of union of North-Eastern Rhodesia with Nyasaland I recommend that there should be a step in the direction of more popular representation in the Nyasaland Legislature. North-Eastern Rhodesia at present returns five elected members to the Legislative Council of Northern Rhodesia, whereas the unofficial community in Nyasaland is represented on the Legislative Council by three nominated members only.

**The General Design.**

The arrangements which I have suggested seem to me to be necessary to complete the general design for the future of British Africa between the Nile and the Limpopo which follows logically from the conclusions which we have arrived at in our Report on the North-Eastern territories. That design should, in my view, be that the seven territories, contiguous, but unrelated save through the distant Secretary of State, should be drawn together into two groups, the North-Eastern and the Central. There will be a similarity in the constitution of the two groups. They will consist at first at any rate of units with dissimilar constitutions. In the North-Eastern group there will be Kenya with an unofficial majority, and Uganda and Tanganyika with " Crown Colony " government. In the Central group there will be self-governing greater Rhodesia, and Nyasaland, including North-Eastern Rhodesia, with " Crown Colony " government. The central constitutions of the two groups will be similar. They will consist in the first instance of a central executive authority, which may and probably will develop into a central legislature for a strictly limited number of " transferred " subjects—such as defence, research, customs, and communications. In the North-Eastern group the Central Authority will at first be centred in the new High Commissioner. In the Central group it will be centred in the Governor of Southern Rhodesia.

On the broadest economic grounds Nyasaland and the Rhodesias should be drawn together. The two territories are complementary to each other. Crowded Nyasaland can supply the labour that Rhodesia needs, for mineral development in particular. Rhodesia can supply employment for Nyasaland's labourers, and land for its surplus population.

On the other hand, Nyasaland, and North-Eastern Rhodesia should not in any foreseeable future be wholly united with a greater Rhodesia. Their climate and conditions prevent them from being on the whole a white man's country. With their large native population and small areas of white settlement the local constitution suitable to them is the " Crown Colony " form of government, co-ordinated and fortified by inclusion in a loose union with its neighbour of the sort that I have described.

E. HILTON YOUNG.

17*th October*, 1928.

## MAJORITY REPORT ON THE CENTRAL AFRICAN TERRITORIES.

Our recommendations in the foregoing chapters have been confined to the three Northern territories of Uganda, Kenya, and Tanganyika, which form a distinct geographical group. But it is part of our terms of reference to consider also whether more effective co-operation can be secured between the Governments of these territories and those of Zanzibar, Nyasaland, and Northern Rhodesia. In the present Report we shall confine ourselves to the case of Nyasaland and Northern Rhodesia, as we have already dealt with Zanzibar in Chapter XIV. It is desirable in the first place to supplement the brief account which has been given in Chapter II of the existing conditions in the two Central African territories by a short statement of their relations, administrative and otherwise, with the surrounding British territories.

### Administrative connection between the Northern and Central Territories.

Reference has been made in Chapter V to the lack of rail and road communication between Nyasaland and Northern Rhodesia and the Northern group. The effects of this geographical isolation have, however, been reduced by the fact that the administration (in the case of Nyasaland since 1904 and Northern Rhodesia since 1924) has been directly controlled by the Secretary of State for the Colonies, and a very considerable degree of co-ordination with the Northern territories has been achieved, both in matters of policy and administration.

Administrative and technical officers in Nyasaland and Northern Rhodesia are recruited by the Colonial Office and the Crown Agents for the Colonies, and serve under the same conditions as regards leave and pensions, and on similar scales of salaries, as officers serving in Kenya, Uganda, and Tanganyika.

In judicial matters Nyasaland is included within the sphere of the East African Court of Appeal established in 1910.

For purposes of defence, both territories follow the practice of their northern neighbours in the employment of native troops—in Northern Rhodesia the Northern Rhodesia Police and in Nyasaland a force of the King's African Rifles. Nyasaland contributes towards the cost of the Inspector-General, King's African Rifles, and his staff officer, and is visited annually by the Inspector-General.

Both Governments contribute to the cost of the East African Governors' Conference Secretariat, the East African Trade and Information Office, the Amani Institute, and various Imperial

scientific bureaux; also to the Colonial Office Advisory Committees on Native Education, and Tropical Medicine and Hygiene. These Governments have also agreed to contribute to the Sleeping Sickness Research Institute at Entebbe, and have accepted the principle of centralising Veterinary Research at Kabete in Kenya.

## White settlement and native policy.

Nyasaland comprises a land area of 39,000 square miles, with a population of 1,290,000 natives, 1,700 Europeans, and 980 Asiatics. Only a small part of the country is suitable for white settlement. The present European population is mainly confined to the Shire and Mlanje Highlands in the southern half of the territory.

The prospects of future settlement, either in the 4,300 square miles owned by the British South Africa Company in North Nyasa or in the Vypia Plateau, where there is a considerable highland area, depend on the development of communications: the remainder of the territory, except for a few small areas, is, as stated in Chapter II, either already in native occupation or likely to be set aside as native areas and so will be closed to white settlement.

Speaking generally, therefore, Nyasaland cannot be regarded as a white man's country, and its produce will always be mainly native produce. Its most important economic and political problems are native problems and are generally similar to those arising in Uganda and Tanganyika. The delimitation of the areas available for white settlement requires just as careful consideration as in Tanganyika, and it is the more urgent on account of the disputes that have arisen in regard to the rights of the natives in respect of lands which have already been alienated.

In parts of Southern Nyasaland there is occasional shortage of labour for employment on settlers' estates, but in the Northern districts there is comparatively little local demand for hired labour, and the opportunities for cultivation on their own account have not been sufficient to prevent the migration of large numbers of natives to work for wages in other territories. In this respect Nyasaland has less in common with the Northern territories than with Northern Rhodesia. In fact there is a continuous stream of emigration from both the Protectorates to other territories. A certain number of these labourers go northwards into Tanganyika, but the course of the main stream is westwards and southwards. It is estimated that 30,000 natives of Nyasaland are absent every year, mainly for work on the mines in both Northern and Southern Rhodesia and in South Africa. Northern Rhodesia, after absorbing considerable numbers from Nyasaland, sends her own overflow to South Africa, Southern Rhodesia, Tanganyika, and the Belgian Congo. 11,000 natives of Northern Rhodesia were recruited in 1927 for work outside the Protectorate, and 31,000 left

Northern Rhodesia independently to work in Southern Rhodesia and South Africa. These conditions indicate a need for co-operation in the regulation of labour between Nyasaland and Northern Rhodesia, and also, if possible, with Southern Rhodesia as well, as it is desirable that migrant labourers should find themselves under the same general conditions in these territories. Moreover, the white settlers are closely interested in the regulation of these labour movements. In Southern Rhodesia, for instance, both the mining and farming industries are dependent to a large extent on imported labour, and in Northern Rhodesia one of the strongest reasons for the opposition to partition of the territory is the fear of being deprived of the labour supply from the north-eastern portion of the Protectorate. On the other hand, the planters in Nyasaland are afraid of being drained by their neighbours.

With regard to the political education of the natives, Nyasaland is faced with much the same problems as arise in those parts of the Northern territories where the old tribal system has broken down. We have referred elsewhere to the desirability of preserving this system wherever possible, and gradually evolving an improved form of local self-government from it. In large parts of Nyasaland the tribal organization is beyond recall, and the native administration is carried on through village headmen, who are Government servants and meet in district councils under the presidency of British officers. The drawback to this system is that it tends to confine the power of initiative to the district officer and does little to develop a spirit of responsibility in the native leaders. There is no easy alternative in the conditions that have now been allowed to grow up, but Nyasaland might learn something from what is being done to restore the authority of tribal chiefs in Tanganyika, and an exchange of experience between the two territories would be useful.

Northern Rhodesia has an area of about 291,000 square miles, with a population of 1,237,000 natives, 5,580 Europeans, and 60 Asiatics. There are three natural divisions of the territory possessing distinct characteristics. The central area, which contains the bulk of the European settled community, is traversed from south to north by the Rhodesia Railway, the Mashonaland Railway, and the Rhodesia-Katanga Junction Railway, which connect it southwards with Bulawayo and Beira and the railways of the Union of South Africa, and northwards with Elisabethville and the railway system of the Belgian Congo. In addition to agriculture and cattle-breeding, it has a large mining industry, and its future prosperity will depend largely on mineral development. Towards the north it has a certain amount of export trade in the shape of cattle and agricultural produce for local consumption in the Belgian Congo. It is possible that some of the traffic from the mines to the north of Broken Hill may also be drawn in this direction when the opening of railway connection with Lobito Bay

in Portuguese West Africa provides another outlet to the sea. But the main bulk of the trade of this area takes, and is always likely to take, a southerly route through Southern Rhodesia and thence to Beira or South Africa. Consequently the European community has many trade connections with Southern Rhodesia, and the interests of the mining industry in particular are interwoven with those of the southern Colony.

The western part of Northern Rhodesia is almost entirely occupied by natives. On the south-west the State of Barotseland forms a distinct political unit under a paramount chief, whose status, like that of the Kabaka of Buganda, is protected by treaty rights. The district of Kasempa on the north-west may be classed with Barotseland as an area in which native interests are predominant.

The north-eastern part of Northern Rhodesia is only connected with the rest of the Protectorate by a narrow neck of land running between Portuguese and Belgian territory. This area is itself dissected into two separate parts by the Luangwa River and the mountainous watershed to the west of it. Communications between both these parts and the central area are at present difficult, and even when Fort Jameson is connected by a good road with the Rhodesian Railway system, it is probable that the planters in this area will continue to export their tobacco, which is their main crop, through Nyasaland to Beira. The remaining part of the north-eastern area looks more to the north than to the south or east, and the planters in the neighbourhood of Abercorn send their exports via Lake Tanganyika and Kigoma to Dar-es-Salaam. If Fife were to be connected by railway with Dodoma, a project which we have discussed in Chapter V, it might be more convenient to administer this part of the country from Dar-es-Salaam than from Livingstone.

Both parts of the north-eastern section have tracts of country climatically suitable for white settlement, but the country is in places thickly populated by natives. It is, in fact, from this area that the mining industry, both in Northern and Southern Rhodesia, draws a good deal of its labour. In the absence of communications no great extension of white settlement is in progress, but the discovery of minerals in paying quantities might change the situation and cause the country to be more rapidly developed.

The land problems in Northern Rhodesia are much the same as those arising in Kenya, Tanganyika, and Nyasaland, and it has in common with Nyasaland the special problem of securing the rights of resident natives in the lands alienated to British companies.

As regards labour, we have shown, in dealing with Nyasaland, that Northern Rhodesia is both an importer and exporter of

labour, and that it is desirable for the two Protectorates to co-operate in the regulation of labour migrations. Northern Rhodesia has a special problem of its own, which has also a bearing on the question of the political education of the native and of training him to manage his own affairs. There are large conglomerations of native labourers in the mining camps, who have been drawn from divers tribes and divers territories, and are severed, for the time being at any rate, from their own tribal organisms. Attempts are being made to arrange for the control of such matters as sanitation, etc., in camps through native headmen appointed *ad hoc* by the mine managers, and it is possible that this practice may prove to be the germ of a complete form of local administration; but there are obvious difficulties in the way of securing obedience to headmen who have no traditional authority behind them, and these difficulties will increase with the expansion of the mining industry and the size of the mining camps. Conditions in these camps are different from those prevailing in the other territories where the detribalised natives are largely employed as agricultural labourers, as, for instance, in the Kenya Highlands. For the solution of the problem of mining camps more help can probably be got from the experience of Southern Rhodesia and South Africa.

## Communications.

We have discussed in Chapter V the question of railway communication between Nyasaland and Tanganyika and have shown that further enquiries are necessary before any decision can be taken. In the absence of such communication it is practically impossible for the present to incorporate Nyasaland in the political formation which we have recommended for the Northern group of territories. Meanwhile Nyasaland's only outlet to the sea is through Portuguese territory and the port of Beira. Were the problem a new one, it might be preferable to look for an outlet to the north or north-east instead of to the south; but the heavy expenditure which has already been undertaken in building the existing lines, and the commitments of the Nyasaland Government under its guarantees to the Trans-Zambesia Railway, constitute very strong motives for the Government to do all that it can to foster traffic on the Beira route. The crossing of the Zambesi, which at present has to be effected by boat, entails at times great delay and sets a definite limit to the volume of that traffic. The project for a permanent bridge over the river, which has long been under consideration, has met with great physical and financial difficulties, and unless both these can be overcome the Protectorate will either have to accept severe restrictions on its economic development or to cut its losses on its guarantee and undertake new commitments in opening up communications to the north or north-east. Until

the question of the Zambesi Bridge is settled, all projects for extending the Shire Highlands Railway northwards with a view to attracting traffic from the Lake area and North-Eastern Rhodesia must be held up, as it will be useless to draw more traffic to a bottle-neck through which it cannot be evacuated.

In any event the route via Beira will be a long and expensive outlet for the northern part of the Protectorate. The Parliamentary Commission pointed out that the natural outlet of this area is via Dar-es-Salaam, and expressed the opinion that the natural commercial watershed is somewhere in the neighbourhood of Domira Bay on Lake Nyasa. We have referred in Chapter V to the prospects of a railway from Kilosa or Morogoro (on the Dar-es-Salaam-Kigoma line) to Manda (a port on the north-eastern shore of the Lake) and recommended that these be examined. A third possibility, which has at times been mooted, is the opening up of communications from the south-eastern shore of Lake Nyasa through Portuguese territory to Port Amelia, or on a more southerly alignment to Pebane. The conditions that would affect railway construction to these ports, and in the case of Pebane its scope for development as a port, are too little known to make it possible to consider these proposals seriously as alternatives; nor are the views of the Portuguese Government known. In any case very substantial new expenditure would be involved, and these routes would not afford satisfactory outlets either for southern Nyasaland, or for the extreme northern area.

The only rail communication between Nyasaland and Northern Rhodesia is a very long and circuitous route by way of Beira, Salisbury, and Bulawayo, and facilities for communication by road have not been developed. The direct route between Zomba and Livingstone would lead through Portuguese territory where there is no through road. There is a fairly good motor-road from Blantyre to Fort Jameson in the East Luangwa district by which the produce of that district is ordinarily evacuated, but this area is separated from the rest of Northern Rhodesia by the deep Luangwa Valley, which is practically impassable in the rainy season. If the Zambesi bridge is constructed, it is proposed to extend the railway from Blantyre to the western shore of Lake Nyasa. A further extension to Fort Jameson is likely then to be undertaken. On the Rhodesian side a project has already been put in hand for constructing an all-weather road from Lusaka on the Livingstone-Broken Hill Railway to Fort Jameson. But if the physical difficulties of this project are surmounted, the road journey from railhead to railhead will still be a formidable undertaking of some 370 miles. Lack of communications is thus likely to prove, for some years to come, a serious obstacle to closer union between the two Protectorates.

## Co-ordination of Common Services.

### Communications.

We have shown that in the case of the Northern territories the chief need for the co-ordination of services lies in the direction of railway policy and the development of communication by rail.

In the Central territories there is one great difference in the situation in that the railways are at present owned and worked by private companies and not by the Governments.

Moreover, the possibilities of competition are less and there is nothing comparable to what we have described as " the joint hinterland " which exists in the Northern territories and which might be served either through Kenya and Uganda or through Tanganyika.

But there are already certain possibilities of competition which are sufficient to indicate some need for a common plan, particularly as regards road construction. For example, when the proposed Lusaka-Fort Jameson road is completed it is conceivable that there might be competition between the Rhodesian and Nyasaland routes for Fort Jameson traffic. In the near future, however, the possibility of wasteful competition is on a very small scale, and for the main plan of railway construction joint consideration is necessary not merely between Nyasaland and Northern Rhodesia, but between these two territories and Tanganyika.

### Defence.

We have dealt with the defence of the Central territories, and have summarised our recommendations under this head in Chapter V. As Nyasaland relies for its external defence on the King's African Rifles it would obviously be desirable, if it were possible, to bring the defence of this territory within the orbit of the Central Authority of the Northern territories who will, under our proposals, exercise co-ordinating powers over the forces stationed in those territories. No close co-ordination will be possible between the military organizations of Nyasaland and Northern Rhodesia unless the defence force of the latter Protectorate, which is at present a military branch of the police, is incorporated in the King's African Rifles. The military requirements of both Protectorates, both for external defence and internal security, are similar in character, and some form of central co-ordinating authority would be an advantage.

The question of defence might form a serious obstacle to amalgamation of the Central territories with Southern Rhodesia, because the latter relies on a European defence force.

## Customs.

Northern Rhodesia and Nyasaland have different tariff systems and there is at present no co-ordination between them.

In Nyasaland imports are subject to a general *ad valorem* duty of 15 per cent., with certain exceptions, such as tobacco, wines, etc., on which there are specific duties; there is also the usual list of exempted articles.

The main portion of Northern Rhodesia, which is within what is known as the " Zambesi Zone," is a party to the Customs Union of South Africa. Under the present agreement, Northern Rhodesia receives 12 per cent. *ad valorem* on removals from the Union of South Africa of imported goods, and 6 per cent. on removals of goods manufactured in South Africa. Unmanufactured produce of South Africa is not subject to duty. The Union of South Africa charges the actual duty at Union rates on removals from Northern Rhodesia of imported goods, but allows entry of Northern Rhodesia produce free of duty.

The whole of Nyasaland and a small portion of Northern Rhodesia, which is roughly that portion of North-Eastern Rhodesia which lies to the north-west of a line from Fife to Ndola, is for Customs purposes in the Conventional Basin of the Congo; the remainder of Northern Rhodesia is in the Basin of the Zambesi.

By the Berlin Treaty of 1885 and that of St. Germain-en-Laye of 1919, countries within the Conventional Basin of the Congo must observe equality of trade with all countries which are signatories to these treaties; hence there can be no preference in favour of British goods in Nyasaland or in that small portion of Northern Rhodesia which is within the Congo Basin.

Nyasaland and a part of Northern Rhodesia thus stand on the same footing as Kenya and Uganda in this respect, and their interests should be represented in any negotiations for the revision of these treaties.

Apart from the transit trade through Portuguese territory there is very little interchange of goods between Nyasaland and the neighbouring territories, and her exports to them are insignificant.

The trade of Nyasaland with the Northern territories is not likely to increase to any considerable extent unless railway communications are developed, from the Tanganyika Central Railway southwards to or towards the north end of Lake Nyasa. The trade between Nyasaland and South Africa and the Rhodesias is also likely to depend to a large extent on improvements in communications. There is, however, a considerable amount of transit trade through Nyasaland to the Fort Jameson area of Northern Rhodesia which is likely to increase in the event of the construction of the Zambesi Bridge and the extension northwards of the Nyasaland railway system.

Between the two Rhodesias, on the other hand, intimately linked by their railway systems, the interchange of goods is important.

As practically all the Northern Rhodesian imports and exports, except those to and from the Belgian Congo or the North-Eastern section, must pass through Southern Rhodesia and South Africa, and a large proportion of her trade is with those countries, mutual free trade is of primary importance between the Rhodesias. Between Nyasaland and the Rhodesias it is not yet a matter of any importance. There is, however, no such difference between the present tariffs or methods of taxation of Nyasaland and the Rhodesias as would necessitate any dislocation of their revenue systems in the event of the adoption of a uniform tariff.

## Research.

With regard to research, the same general considerations apply to the Central as to the Northern territories. There are many problems common to all five territories, and conditions are in many respects similar. The Governments have already recognised this by contributing to the upkeep of the research station at Amani and accepting the principle of centralizing sleeping sickness and veterinary research at Entebbe and Kabete respectively. The Central territories have also local problems in which they are specially interested, as, for instance, the diseases of tobacco, which is their most important export crop. This interest is shared by Southern Rhodesia, and in the two Rhodesias European and native cattle-owners are interested in research into the same animal pests and diseases.

We have suggested in Chapter V that, for purposes of research, Nyasaland and Northern Rhodesia should be included in the same group as the Northern territories, but if any further local co-ordination can be effected between the two Protectorates, or between them and Southern Rhodesia, it would be helpful to the progress of research.

## Summary.

The general conclusion that we draw from our consideration of conditions in the two Protectorates is that broadly speaking they ought to follow the same general principles of native policy that we have attempted to formulate for the Northern territories. There are special considerations affecting the central part of Northern Rhodesia, but apart from this area the whole of Nyasaland and the greater part of Northern Rhodesia present the same problems as we have described in Chapter III in regard to native rights in land, white settlement, labour, and the economic and political development of the natives. In addition the two Protectorates have

their own special problems in connection with the extensive rights that have been granted to certain British companies, and with the periodical migrations of labour. Northern Rhodesia again has important interests in common with the self-governing Colony of Southern Rhodesia. With regard to services of common interest the need for a Central Authority to secure co-ordination is not so urgent as we have found it to be in the case of the Northern territories.

**Possible Political Readjustments.**

In the light of this general survey of conditions in Nyasaland and Northern Rhodesia, we can now consider what political readjustments are necessary or desirable to effect such co-ordination of policy as may be required in these territories.

The total area of the two Central territories is less than that of Tanganyika alone, and their aggregate white population is little more than half that of Kenya. From the economic point of view they would not be a large enough unit to support a separate system of Government on the lines that we have proposed for the Northern territories. The cost of a Central Authority would be burdensome and there would not be sufficient work to attract a Governor-General with the high qualifications that would be required, or in fact to justify his appointment. If therefore co-ordination of policy is to be secured in these territories through the agency of a controlling authority in Africa, the necessary machinery must be provided by some form of association with the neighbouring territories. Such association might take any one of the following forms :—

(1) These two territories might be brought within the Northern system and placed under the Central Authority for Eastern Africa.

(2) They might be united to Southern Rhodesia in some kind of federation.

(3) They might be completely amalgamated with Southern Rhodesia.

(4) They might be placed under the general supervision of the Governor of Southern Rhodesia, as High Commissioner, who would exercise in relation to them powers similar to those which we propose to give to the Central Authority for Eastern Africa.

(5) The area comprised in the two territories might be divided, part gravitating towards the north and part towards the south.

(6) The present status of the two Governments might be maintained, but the Governor-General of the Northern territories might supervise native policy and services of common interest in an advisory capacity.

## Public Opinion.

Before examining the advantages and disadvantages of each of these courses, it is desirable to give a brief account of the state of public opinion in the territories concerned. In considering the future political destiny of these territories the views and sentiments of the settled European community are an important factor to be taken into account, for no far-reaching change could be effected without the support and co-operation of that community. We endeavoured to ascertain, as far as was possible in the time at our disposal, public opinion in both Protectorates and in Southern Rhodesia on the broad aspects of the question. The impressions that we formed are as follows :—

*Nyasaland.*—Opinion in Nyasaland is divided and uncertain. The Merchants' Association at Blantyre and the Chamber of Agriculture and Commerce, who represent the trading interests and the large agricultural companies and firms, are in favour of eventual federation or closer union with the Northern territories when the improvement of communications renders this possible. They apprehend that the interests of the natives would suffer if Nyasaland were drawn into the orbit of Southern Rhodesia, as they consider that the policy of that Colony is likely to develop in the direction of the "colour bar." On the other hand, the smaller farmers and planters, so far as we could gather from the representatives of their Associations, are generally more in sympathy with what they conceive to be the white policy of Southern Rhodesia, and are opposed to any union with the North which might subject them to what they regard as the "pro-native" policy of Tanganyika and Uganda. The majority of them, however, do not advocate any early change, and consider that in any case the first step should only be a union with Northern Rhodesia, leaving the question of federation with Southern Rhodesia for future consideration. On the whole our impression of public opinion in Nyasaland is that it is generally opposed to any immediate action in the direction of closer union, although a proposal to absorb the North-Eastern part of Northern Rhodesia would probably meet with general approval.

*Northern Rhodesia.*—In Northern Rhodesia also there is no unanimity of opinion. The East Luangwa district, as we have already shown, sends its produce to Nyasaland and has its trade connections in Blantyre. This situation has led some of the settlers around Fort Jameson to consider whether their interests would not be better served by amalgamation with that Protectorate. The inclination in this direction has not yet crystallised into a demand for the transfer of the district; but if Northern Rhodesia were to amalgamate with Southern Rhodesia, while Nyasaland were placed under the Central Authority which we propose for the Northern group, we have little doubt that the isolated community around Fort Jameson would seek to link its destinies with the

latter. In fact, their representatives definitely stated that they were opposed to any union with Southern Rhodesia unless Nyasaland were included.

The Europeans in the central part of Northern Rhodesia, i.e., the area served by the railway, have a different outlook. This part of the country was colonised mainly from Southern Rhodesia, its main trade as we have shown is with or through that Colony, and its natural sympathies are with its southern neighbour. Moreover, the European community feels that its views would carry greater weight in comparison with native interests, and that the non-officials would have a greater voice in the administration, if they were amalgamated with a self-governing white State. But even here there is some difference of opinion. In Livingstone it is apprehended that the change would remove the seat of government and thereby reduce the volume of trade and cause a serious fall in the value of landed property. On the other hand, the representatives of the mining interests are generally in favour of it. Those interests are closely affected by such matters as railway rates in the two Rhodesias, and it would obviously be more convenient for them to discuss these matters with one government instead of two. The spokesmen of the farming interests in the railway belt who appeared before us were in favour of amalgamation, though we understand that there are some dissentients who fear that Northern Rhodesia would not be able to obtain sufficient representation in a joint legislature to safeguard her special interests. European opinion in this part of the country is generally united in opposition to any idea of partition of the territory, as it wishes to retain control over the districts, particularly those in the north-eastern section, from which the settled areas draw their main supply of labour.

*Southern Rhodesia.*—Southern Rhodesia is outside our terms of reference, but the attitude of public opinion there towards the idea of closer union with one or both of the Central territories is relevant to this part of our enquiry. The Colony lies between the Union of South Africa and the two Protectorates and her geographical position would admit of political amalgamation with either. The possibility of her being drawn into the orbit of the Union has an important bearing on the question whether it is advisable to form any close connection between Southern Rhodesia and the Central territories. We have had the advantage of frank discussions on the subject with Sir John Chancellor, recently Governor of the Colony, with the Premier and Ministers, and with the Leader of the Opposition. When a referendum was taken in 1923 on the question of joining the Union on terms offered by the Government of General Smuts, there was a considerable minority (about 40 per cent.) in favour of this step; but we gained the impression that a large part of this minority has now changed its mind and that the country has come to look north

instead of south. The policy which now finds general favour is that of a " Greater Rhodesia," and informal discussions have already taken place between representatives of the two territories as to the terms on which amalgamation might be effected. Some of the advocates of this policy look forward to the inclusion, at some future time, of Nyasaland in the Greater Rhodesia. In stating that the policy of a " Greater Rhodesia " now finds general favour, we must guard against any impression that the present Government harbours ambitions to extend its powers. We were much impressed by the moderation of their views on this matter, and their statesmanlike appreciation of the fact that, as a newly established self-governing Colony, they still had much experience to gain in handling their own problems. They were neither anxious to increase prematurely their own responsibilities, nor to put any pressure on their neighbours to force a union in advance of the assured support of public opinion.

## Analysis of Alternatives.

We are now in a position to estimate the relative advantages of each of these six courses :—

### (1) Union with the Northern Territories.

From many points of view eventual union with the Northern territories would appear to be the natural destiny of Nyasaland. The greater part of it is not a white man's country, its physical and climatic conditions are generally similar to those of Tanganyika, and as regards native policy most of its problems are the same as those which have arisen in the Northern territories. The same considerations apply to the north-eastern section of Northern Rhodesia. This part of the country has so much in common with Nyasaland and Tanganyika that its natural destiny also appears to lie in the direction of union with the North, though the position might be altered if mineral developments brought the north-western districts into closer relation with the Rhodesian railway system.

On the other hand, the railway belt in Northern Rhodesia has, as we have shown, many close connections with Southern Rhodesia and the majority of the European community look forward to closer relations with that Colony rather than to union with the North.

Whether these contrary tendencies will lead to partition of the Protectorate is a question that will be discussed later. For the present we are considering whether the two Protectorates should be placed *en bloc* under the Central Authority which we propose for the Northern group. Apart from the fact that no section of opinion urges any such change at present, and the general body of opinion would be opposed to it, the state of communications makes

it impracticable, and it will probably be many years before the improvement of railway communications will bring it within the range of practical politics.

It is, of course, possible that the position may be altered by the development of air transport in the not distant future, but for the present we can only conclude that it would not be feasible to include all the five territories in a single political group. Even though the Governor-General might be able to exercise effective supervision over Nyasaland and Northern Rhodesia, they would find it too difficult to furnish their quota to his advisory council, and still more so if it should develop into a central legislative council.

### (2) Federation with Southern Rhodesia.

We have included federation with Southern Rhodesia among the possible courses in order to make the list exhaustive, but we doubt whether this course can properly be regarded as a possibility. We have shown in Chapter IV that federation affords no solution of the problems of the non-self-governing Dependencies in the Northern group. It would be still more difficult to devise any stable form of federation between two Protectorates and a Colony possessing responsible government. The self-governing Colony would naturally aspire to be the predominant partner, and the arrangement would be likely to produce such friction between the Colony and the Colonial Office that the only escape would be either disruption of the federation or complete amalgamation. We proceed therefore to consider the question of amalgamation.

### (3) Amalgamation with Southern Rhodesia.

From the Imperial point of view it might be held that there would be certain advantages in strengthening the position of Southern Rhodesia by letting it expand northwards across the Zambesi.

It appears to us, however, that any amalgamation of the three territories would be at least premature. We have shown that between Nyasaland, together with part of Northern Rhodesia, and the Northern territories there are certain natural affinities which point to union with those territories possibly as the best ultimate development, and it would be inadvisable to take any step now which might irrevocably commit the countries to another line of development. Moreover, we doubt whether Southern Rhodesia is yet in a position to undertake the heavy responsibilities which amalgamation would involve. The control of a large black population by the small white community in that Colony is still in an experimental stage, and it would be unwise to add to its burdens until its ability to discharge its present task has been tested for a longer period. The present Colony has an area of 149,000 square miles, with a population of 44,000

Europeans and 834,000 natives. If it were to absorb the two Protectorates the area would be increased to 480,000 square miles, with a population of 51,290 Europeans and 3,362,300 natives. The ratio of the white to the black population would thus be reduced from 1 :19 to 1 :65. These figures are a sufficient indication of the enormous increase in the task of the Southern Rhodesian Government which amalgamation would involve.

Further experience is required also in another direction before a decision on this subject is taken. We have recommended a novel system of government in the Northern territories in the hope that it will be found suitable for the administration of tropical regions containing a vastly preponderant native population. It is desirable that this system should be submitted to the test of time before it is decided whether Nyasaland and Northern Rhodesia should be brought under the ægis of the different system of representative government prevailing in Southern Rhodesia.

It will be clear from the account that we have given of public opinion in the Protectorates that any proposal for amalgamation would meet with general disapproval in Nyasaland and with opposition in parts of Northern Rhodesia. It might be welcome to the majority in the railway belt, but the interests and wishes of this area cannot be allowed to outweigh those of the remainder of Northern Rhodesia and the whole of Nyasaland. For the above reasons we are compelled to reject the alternative of amalgamation with Southern Rhodesia.

(4) Grouping under the Governor of Southern Rhodesia.

In view of the objections to federation or amalgamation, we have been led to consider whether it would be feasible and desirable, as a temporary expedient, to bring the three territories into some looser form of union with a view to co-ordination of matters of common interest. It has been suggested that the Governor of Southern Rhodesia might be made High Commissioner of the two Protectorates and be vested with general powers of control, so as to place him in a position analogous to that which we have proposed for the Governor-General in the Northern territories. This suggestion has many attractions. The High Commissioner would be able to co-ordinate native policy in the Protectorates and to secure co-operation in the various matters in which, as we have shown, they have common interests, not only between themselves but also in some respects with Southern Rhodesia. He would be kept in touch, through the Colonial Office, with the development of native policy in the Northern territories, and would be in a position to direct the policy of the Central territories on the same lines. He would also be able to keep the Government of Southern Rhodesia in touch with the principles approved by His Majesty's Government and thus lessen the risk of a different native policy being adopted in that Colony.

On the other hand there are serious objections to this scheme. It is quite different in character from the proposals which we have put forward for the Northern territories. Under those proposals the Governor-General will be in frequent personal communication with all three Governments but will be equally detached from them all. His primary duties will be the direction of native policy and the co-ordination of common services. The Governor of Southern Rhodesia would not be able to pay frequent visits to the Central territories : his primary duty is to act as His Majesty's representative at Salisbury. So far as Southern Rhodesia is concerned, he would not have the power which we propose to assign to the Governor-General of the Northern territories of giving final decisions either in the matter of native policy or of co-ordination of services, and it is conceivable that in the case of Nyasaland or Northern Rhodesia he might have to recommend or carry out a policy which was not exactly in accord with the views of the responsible government of Southern Rhodesia. This would create an embarrassing situation.

Finally, we feel that an arrangement of this kind would prejudice the future political alignment of the Central territories. If it were adopted merely as a temporary expedient, it would inevitably create bonds and associations which it would subsequently be difficult to break, and as there are so many reasons for eventually linking Nyasaland and a part at least of Northern Rhodesia with the Northern territories, we cannot recommend the forging of any fetters which might bind them permanently to the south.

### (5) Partition of the Central territories.

We have shown that Northern Rhodesia comprises three sections with different characteristics and different interests, and it may eventually be found desirable to provide for the administration of these sections by three different methods. Barotseland, with possibly part of the Kasempa district, might be treated as a purely native area and placed under the direct control of the Governor of Southern Rhodesia as High Commissioner, just as Basutoland, Swaziland, and Bechuanaland are administered by the High Commissioner in South Africa. The railway belt might be amalgamated with Southern Rhodesia. The East Luangwa district might be incorporated in Nyasaland and the rest of the north-eastern section might be joined either to Nyasaland or to Tanganyika according to the development of communications.

Any proposals of this kind would meet with the strongest opposition from the most influential section of opinion in Northern Rhodesia, and for this and other reasons we regard the idea of partition as premature. It will probably be found desirable some day to include the East Luangwa district in Nyasaland, but there is no urgency in this matter and its decision can await the development of communications. Mineral exploration is in progress in

the other districts of the north-eastern section, and it would be inadvisable to make any final disposition of this tract until its potentialities are better known. Union with Southern Rhodesia may perhaps be regarded as the ultimate destiny of the railway belt in Northern Rhodesia, but the transfer of this belt by itself would not be welcome to either party. On the other hand, as we have pointed out in dealing with the question of amalgamation, it would be unwise to place any further tracts with a large native population under the Government of Southern Rhodesia until that Government has demonstrated its ability to cope with the extensive native problems that already confront it.

### (6) The Status Quo.

Our survey of the possible alternatives thus leads us to the conclusion that the best course for the present is to maintain the independent status of the two Governments in the Central territories, for the following main reasons :—

(*a*) Present conditions may be changed by mineral discoveries and the development of communications. It is impossible to foresee what may be the best ultimate grouping of the territories, and it is undesirable to prejudge it by setting up any *ad interim* arrangement which later on it might be difficult to re-adjust.

(*b*) The Government of Southern Rhodesia requires time to settle down in its comparatively new position, and to solve some of its own problems before it takes on new responsibilities, particularly in the form of the addition of a large area of country which is predominantly native country. It still remains to be proved that the territory north of the Zambesi is a " white man's country " in the same sense as that description may apply to the country to the south.

(*c*) Time is further required to test the working of the proposals which we have made for the government of the Northern territories, and it would be well to test them by actual experience before doing anything to settle finally the future of the Central territories.

(*d*) Desirable as it is to extend the present degree of co-ordination both in matters of policy and administration, the institution of a Central Authority for this purpose would be premature. In view of the uncertainty of future developments in the various directions that we have indicated, we consider that the next step should be of a tentative nature and should not go beyond the recommendation that we make below.

We recommend that the High Commissioner or Governor-General of the Northern territories should be the Secretary of State's chief adviser on important matters of policy affecting Nyasaland and Northern Rhodesia. He would be kept in touch with the affairs of

the two Protectorates through the medium of the Colonial Office. and as Chairman of the Governors' Conference he would have opportunities of personal discussion with the Governors of the Central territories, who would continue to attend that Conference. We would also suggest that the Governor-General should pay occasional visits to those territories in an advisory capacity. We do not propose that he should be authorised to issue orders to the Governors, but in view of his close relationship to the Secretary of State his suggestions would naturally carry great weight and would probably be sufficient to ensure uniformity of native policy between the two groups of territories and co-ordination of common services where this is required. Such an arrangement would not be open to the objection which we found to apply to any union of the Central African territories with Southern Rhodesia, viz., that it might hereafter be difficult to revise it, nor need it lead to the creation of new vested interests which it might later be difficult to disregard. At the same time the possibility of linking up with the south must definitely be kept in mind, for, at least so far as concerns the railway belt of Northern Rhodesia, it appears to us quite possible that it may prove ultimately to be the best arrangement that this area should gravitate to the Southern Rhodesian system. For this reason and also on general grounds it is desirable that close contact and exchange of views should be maintained between the Governments of the Eastern and Central territories and the Government of Southern Rhodesia. The former have already much to learn from the latter, and it is most undesirable that any wide differences in native policy should be allowed to grow up. Every opportunity should be taken for meetings between the Governor-General of Eastern Africa and the Governor and Ministers of Southern Rhodesia, and if the latter desired to send a representative to be present at the meetings of the Governors' Conference we think it would be to the advantage of all concerned that this facility for liaison should be arranged.

**The Legislative Councils of Nyasaland and Northern Rhodesia.**

Our proposals as regards Nyasaland and Northern Rhodesia do not necessarily involve any changes in the powers and composition of the Legislative Councils of those Protectorates. We have, however, to consider whether any such changes are desirable with a view to associating more closely in the responsibilities and trusteeship of Government the immigrant communities domiciled in the country and so as ultimately to secure more direct representation of native interests. The Legislative Council of Nyasaland consists at present of the Governor as President, four ex-officio members, and three nominated unofficial members. The Legislative Council of Northern Rhodesia consists of the Governor as President, five ex-officio members, four nominated official members, and five elected unofficial members. We regard it as essential

in present circumstances to retain an official majority in both Legislative Councils, but subject to this condition we should see no objection to a moderate increase in the unofficial representation, by nomination in the case of Nyasaland, and by raising the number of elected members in Northern Rhodesia. We do not think that the time is ripe in either Protectorate for the appointment of members specifically to represent native interests. As in Tanganyika and Uganda these interests can for the present be adequately protected by the Government.

## The Dual Policy.

As regards the progressive application of the Dual Policy in Nyasaland and Northern Rhodesia, we have already stated that in our view these two territories should follow the same general principles of native policy that we have formulated for the Northern group. In accordance with this view we recommend that, as soon as the High Commissioner for the Northern territories has been appointed, inquiries similar to those which he is to undertake in Kenya, Uganda, and Tanganyika in the fields of land policy, native production, native labour, taxation, native administration and native education as set out in the Annexure to Chapter VI, Part I, should be set on foot in Nyasaland and Northern Rhodesia in consultation with him.

In Chapter VII we have drawn attention to the importance of vigorous development of the institutions of local government both in the settled areas and among the natives in Eastern Africa, and we have recommended that local self-government should be encouraged to the fullest extent. This recommendation should be taken to apply equally to Nyasaland and Northern Rhodesia.

## Native Administration.

An attempt to build up something in the nature of responsible native administration and native authorities capable of supporting responsibility appears to us a particularly urgent necessity in Nyasaland where the events of the past have led to an entire destruction of the tribal system, and a lamentable absence of native initiative and traditional native organization.

The experience which has been gained in Tanganyika in rebuilding native administrations after the war would be of great value, and it might be advantageous that an experienced officer from that Territory should be lent for a period to Nyasaland to assist in the necessary inquiries.

R. A. MANT.
GEORGE SCHUSTER.
J. H. OLDHAM.

17*th October*, 1928.

# SUMMARY OF RECOMMENDATIONS.*

## MAIN REPORT.

### PART I.

### CONSTITUTIONAL CHANGES.

#### A.—Preliminary Step (to be taken immediately).

HIGH COMMISSIONER (*pages* 145–148).

A High Commissioner should be appointed for Kenya, Uganda and Tanganyika with executive powers, his special functions being :—

(*a*) To inaugurate enquiries and joint discussions on questions of native policy as indicated in the annexure to Chapter VI, Part I.

(*b*) To promote unified control of certain services of common interest, and to settle on a fair basis any immediate causes of dispute or difference.

(*c*) To discuss locally and work out the arrangements for introducing the modifications proposed in the constitution of Kenya.

#### B.—First Stage of Definite Plan.

GOVERNOR-GENERAL (*pages* 149–164).

The results of the preliminary enquiries carried out by the High Commissioner should be reviewed by His Majesty's Government, and if then thought fit the post of Governor-General of Eastern Africa should be created in place of the appointment of High Commissioner. The Governor-General is to be a link between the Secretary of State and the local Governments, and for this purpose the plan includes changes of organization both in Africa and in London.

ORGANIZATION IN AFRICA.

FUNCTIONS OF GOVERNOR-GENERAL (*pages* 149, 153, 156).

1. The Governor-General should exercise so far as these can be delegated to him the functions of supervision and control now exercised through the Secretary of State, and should be endowed for this purpose with executive powers and with control over legislation, but these powers and control should be exercised only for certain purposes which would be conveyed to him in his instructions.

PRINCIPAL DUTIES (*page* 149).

2. The principal duties of the Governor-General will be :—

(*a*) To secure Imperial interests and the proper discharge of the responsibilities of His Majesty's Government.

(*b*) To hold the scales of justice even between the various racial communities.

(*c*) To co-ordinate services of common interest.

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* *Note.*—This Summary should be read together with the general review given in Chapter XV and with the "Outline of Proposals" at the end of Chapter IV.

(The most important duty of the Governor-General under heads (*a*) and (*b*) above will be to " direct the course of native policy and to supervise its working.") (*Page* 150).

3. The Governor-General should work with the following bodies :— ADVISORY COUNCILS, ETC. (*pages* 160–161).

(*a*) *For general purposes.*

A small Advisory Council comprising officials and non-officials of all three Dependencies.

(*b*) *For services of common interest.*

(i) *Transport.*—An inter-Colonial Advisory Railway Council for the three Dependencies organized on the same lines as the existing Railway Council of Kenya and Uganda. (*pages* 151–152).

(ii) *Customs.*—An inter-Colonial Customs Council organized on the same lines as the Railway Council. (*page* 152).

4. During the preliminary period and the first stage the status of the three Governors is to be affected as little as possible. They should retain the title of Governor and their present rates of pay, and should continue to be for all practical purposes the King's representatives in their own territories. POSITION OF GOVERNORS (*pages* 153–154,212-213).

## ORGANIZATION IN LONDON.

5. The Secretary of State should have available :— ADVISORY COUNCIL (*pages* 167–168).

(*a*) For consultation on matters of policy in Eastern Africa (including Zanzibar) and Central Africa—a small Advisory Council. The membership of this Council should be from five to eight and the members should be paid.

(*b*) A Finance Committee and a Transport Committee, or possibly a joint Finance and Transport Committee, of which the Financial Adviser to the Secretary of State and the Transport Adviser (if any) would be members. The Chairman (or Chairmen) of these Committees should sit on the General Advisory Council. FINANCE AND TRANSPORT COMMITTEES (*pages* 170–171).

6. To assist in the further consideration of policy periodical Conferences for the Dependencies in Eastern and Central Africa should be held in London and should be attended by official and unofficial delegates. PERIODICAL CONFERENCES (*pages* 168–169).

7. For the information of Parliament on the course of affairs in Eastern and Central Africa Annual Reports should be prepared by the Governor-General, and by the Governors of Nyasaland and Northern Rhodesia, and published as a Parliamentary Paper with the comments of the East African Council. ANNUAL REPORT ON EASTERN AFRICA. (*page* 168).

## C.—The Legislative Councils of Kenya, Uganda, and Tanganyika.

UGANDA AND TANGANYIKA (*page* 182).

1. No changes are needed at present in the Legislative Councils of Uganda and Tanganyika.

KENYA (*pages* 187, 190).

*2. Simultaneously with, or subsequent to, the creation of the post of Governor-General, the following change should be introduced in the composition of the Legislative Council of Kenya (see Chapter VIII) :—

> Four of the official members of the Legislative Council should be replaced by four unofficial members nominated to represent native interests (in addition to the missionary already appointed for this purpose).

FUTURE DEVELOPMENTS (*page* 191).

3. No further change is recommended at present in the composition of the Legislative Council of Kenya, but it is contemplated that at later stages there will be a progressive increase in the representation of native interests, and a progressive diminution in the proportion of official members.

FRANCHISE (*pages* 195–198).

4. Consideration should be given to the replacement of adult franchise in Kenya by a franchise depending on a civilization qualification. The nature of the tests to be imposed should be a matter for enquiry by the High Commissioner in discussion with the Government of Kenya and representatives of the unofficial communities.

COMMUNAL REPRESENTATION (*pages* 210–211).

5. The changes which the new franchise qualifications would effect in the respective members of European and Indian voters should be made clear to the leaders of both communities, and the High Commissioner should endeavour to induce them to come to an agreement on the question of election on a common roll.

CERTIFICATION (*pages* 155–156).

6. Concurrently with the changes proposed in the composition of the Legislative Council of Kenya the Governor-General should be given special power to enact legislation and to secure supplies which he regards as essential for the discharge of his responsibilities, contrary to the vote of the majority of that Council.

## D.—Local Government.

LOCAL GOVERNMENT (*pages* 104, 179–181).

Institutions of local and municipal government should be vigorously developed both in settled and native areas.

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* The Chairman dissents from Recommendations C. 2 and 3 to the extent stated in his Additional Recommendations.

### E.—Future Developments.

The working of the whole of the arrangements set out above should be reviewed after a period to be fixed in due course by the Secretary of State. REVIEW OF SITUATION (*page* 223).

It is contemplated that the exercise of central direction by a Governor-General will lead to the establishment of a Central Council with power to legislate in respect of services of common interest, and with a central revenue (see Chapter XI).

## PART II.

## POLICY AND ADMINISTRATION.

### A.—Native Policy.

1. The field of native interests in Eastern and Central Africa should be clearly defined not only in the interests of the natives but also with a view to making clear the scope for the development of the immigrant communities. In Kenya, Uganda, and Tanganyika a programme of native policy for all three Dependencies should be worked out and co-ordinated after full local discussion. NATIVE INTERESTS (*see Chap. III also VIII and XI*).

2. Essential native interests under the following headings must be defined and protected :—

Land.
Economic development, Government services and taxation.
Labour.
Education.
Administrative and Political Institutions.

3. The Governments of the Eastern and Central African Dependencies should endeavour to secure such a measure of segregation as will facilitate the creation of homogeneous native and non-native areas of sufficient size to become units of local self-government. NATIVE AND NON-NATIVE AREAS (*page* 85).

4. Native tribal institutions should be fostered and native administrations should have their own courts. NATIVE ADMINISTRATIONS (*pages* 75–76).

5. Native opinion should be consulted regarding legislation affecting their interests through native administrations or District Councils. CONSULTATION OF NATIVE OPINION (*pages* 82–83).

6. With a view to forming as close an estimate as possible of the production of native areas, typical areas should from time to time be selected for a test census of production. CENSUS OF PRODUCTION (*page* 59).

7. In the annual report of each of the Eastern and Central African territories, a section should be included on native interests giving data similar to those required by the Mandates Commission of the League of Nations in the annual reports of mandated territories. FORM OF ANNUAL REPORT (*pages* 59–60).

BUREAU OF STATISTICS (*pages* 158–159).

8. For the purpose of studying all factors affecting the moral and material progress of the natives, a Central Bureau of Statistics should be attached to the Governor-General, and administrative officers should be instructed in methods of observation and record.

### B. Special Arrangements in Kenya.

REPRESENTATION OF NATIVE INTERESTS IN KENYA (*pages* 188–189).

1. Representation of native interests in Kenya should be supplemented by the following measures: —

(i) Consultation of native opinion in regard to legislation through District Councils and periodical durbars.

(ii) Supply of full information on native affairs to the representatives of native interests in the Legislative Council.

(iii) Appointment of an Advisory Committee on Native Affairs to assist the Chief Native Commissioner.

(iv) Appointment of representatives of native interests on all official bodies which can influence policy.

ADVISORY COMMITTEES (*pages* 198–199.)

2. Advisory Committees should be attached to some of the departments of administration.

### C.—Transport and Communications.

TANGA-MOSHI-ARUSHA SYSTEM (*pages* 118, 151).

1. Subject to full local discussion and inquiry the management of the Tanga-Moshi-Arusha Railway system and possibly that of the Port of Tanga should be transferred to the Kenya-Uganda Railways Department.

RATES (*pages* 118, 151).

2. The Central Authority should settle outstanding railway rates questions, in particular the question arising out of the extension of the Tanganyika railway to Mwanza.

STANDARDIZATION (*pages* 119, 151).

3. Standardization of equipment on the Kenya-Uganda and Tanganyika Railway systems should be introduced as soon as possible.

JOINT WORKING (*pages* 151–152).

4. The financial position and prospects of the Kenya-Uganda and Tanganyika Railway systems should be examined with a view to making arrangements for joint working.

PREPARATORY STUDY (*pages* 118–119).

5. Machinery should be provided for continuous preparatory study of railway projects.

SURVEYS IN TANGANYIKA (*pages* 123–125).

6. Special surveys should be organized in Tanganyika in order to provide information for framing land settlement and railway policy.

The cost of the surveys should be regarded as a proper subject for loan expenditure.

MAIN TRUNK CONNECTIONS (*pages* 120–127).

7. On the completion of these surveys the following main trunk connections should be considered :—

*Northern connection*—Either Dodoma-Arusha or Kilosa-Mombo.

*Southern connection*—Either Dodoma-Fife or Kilosa-Ifakara-Manda.

8. In considering new railway construction the Government of Tanganyika should give preference to branch lines which could later become part of one or other of the main trunk connections referred to under recommendation 7 above. BRANCH LINES (*page* 127).

9. Pending consideration of the possibility of constructing railways, the following trunk roads are recommended :— ROADS (*page* 129).

(*a*) A road from Dodoma through Iringa to the Tukuyu Highlands of Tanganyika.

(*b*) A road through the coastal areas of Kenya and Tanganyika uniting Mombasa, Tanga, and Dar-es-Salaam.

## D.—Research.

1. The High Commissioner should appoint a special technical Commission on Research to survey the existing organizations and to report on the main objectives to be pursued. RESEARCH COMMISSION (*pages* 135, 145–147).

2. The Eastern and Central African Dependencies should be treated as a unit in any Imperial organization of scientific research. (*page* 135).

3. Each territory must retain adequate research institutions of its own to undertake the scientific work required for the local purposes of its Medical, Veterinary, Agricultural, and other Departments. (*page* 136).

## E.—Defence.

The High Commissioner should consider the question of a more efficient and economic organization and distribution of the King's African Rifles, and similar questions, in consultation with the Governors of the three territories and the Inspector-General of the King's African Rifles. DEFENCE (*pages* 132-133).

## F.—Administrative Services and Secretariat.

1. Trial should be made in the Eastern and Central African Dependencies of the system of limiting the tenure of appointments in the Secretariat to a comparatively short term of years, and there should be more frequent interchange between officers serving in the Secretariat and in the Administrative Service. TENURE OF APPOINTMENTS (*page* 139).

2. As far as possible the highest posts in Eastern and Central Africa, that is to say, the posts of Colonial Secretary, etc., should be filled from the ranks of officials in these territories. FILLING OF SENIOR POSTS (*pages* 139-140).

## G.—Location and Staff of Central Authority.

HEAD-QUARTERS. (*pages* 148–162).

1. Government House at Mombasa should be put at the disposal of the High Commissioner, and the location of permanent headquarters for the Governor-General should be a matter for enquiry and discussion by the High Commissioner.

STAFF (*pages* 147, 157, 160).

2. The Secretariat of the East African Governors' Conference should be attached to the High Commissioner, and later to the Governor-General. Apart from this their staff should be confined to Secretaries.

COST (*pages* 148, 162–163).

3. The salaries of the High Commissioner and Governor-General and their personal staffs (but not their local travelling expenses) should be met by His Majesty's Government. The cost of the Secretariat of the Governors' Conference and any other expenditure involved in our recommendations should be borne by the Governments concerned.

VISITS TO ENGLAND (*pages* 148, 162).

4. The High Commissioner should pay frequent visits, and the Governor-General regular annual visits, to England, and when they leave Eastern Africa they should retain their official positions and no substitutes should be appointed.

## H. The East African Governors' Conference.

GOVERNORS' CONFERENCE (*pages* 147, 161).

The East African Governors' Conference should be continued for Kenya, Uganda, and Tanganyika, but the High Commissioner (and later the Governor-General) should preside over it, and should be endowed with full powers to take decisions and to issue orders for their execution.

(See also later recommendations regarding the representation of Zanzibar and the Central African territories.)

# PART III.

## RECOMMENDATIONS REGARDING ZANZIBAR.

CO-OPERATION WITH MAINLAND (*pages* 231–233).

1. The existing co-operation of Zanzibar with the mainland territories to advance common interests should be maintained and extended particularly in such matters as scientific research, administration, harbours and docks, migration of labour, quarantine regulations, and assimilation of the forms of legislation.

GOVERNORS' CONFERENCE (*page* 232).

2. Zanzibar should continue to be represented on the East African Governors' Conference.

## SUMMARY OF THE CHAIRMAN'S ADDITIONAL RECOMMENDATIONS. (*Page* 244.)

### The Legislative Council of Kenya.

1. As an alternative to the proposal contained in Recommendation C. 2 on page 290, the following proposal is recommended and should be discussed by the High Commissioner with the local communities in Kenya :—

(*a*) The number of the Official Members of the Legislative Council should be reduced from nineteen to nine, and the number of additional Nominated Unofficial Members recommended in Chapter VIII, Page 187, should be increased from four to seven.

(*b*) Of the eight Nominated Unofficial Members three should be nominated to represent the interests of the whole community and one of these three should be a member of the Indian community. The remaining five should represent the interests of the natives.

2. Should it be found necessary to increase the number of European constituencies, that number should in the first place be increased from eleven to thirteen, the number of Official Members being increased from nine to ten and the number of Elected Indians from five to six.

3. The appointment of one of the Unofficial Members as an executive Minister should be contemplated forthwith by way of an experiment.

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## SUMMARY OF CHAIRMAN'S REPORT ON THE CENTRAL AFRICAN TERRITORIES. (*Pages* 252-268.)

A. The Governor of Southern Rhodesia should be appointed High Commissioner for Northern Rhodesia and Nyasaland with powers similar to those proposed for the Governor-General of the North-Eastern territories, in order to supervise and co-ordinate— HIGH COMMISSIONER (*page* 261).

(*a*) Imperial outlook;
(*b*) Native policy;
(*c*) Services of common interest.

He should have authority to arrange for joint conferences of the several legislatures.

B. Such union, through an executive Central Authority, should be encouraged to develop into a closer union with a central revenue and a joint legislative council to deal with services of common interest such as defence, research, customs, and communications. FUTURE DEVELOPMENTS (*page* 267)

BOUNDARIES (*page* 264).

C. Ultimate redistribution of boundaries is desirable as follows :—

1. The settled Central or " railway " area of Northern Rhodesia to be united with Southern Rhodesia.

2. North-Eastern Rhodesia to be united with Nyasaland (without prejudice to the question of transferring later the area south of Lake Tanganyika to Tanganyika).

3. The maintenance of Barotseland as an inalienable native reserve under the Government of Southern Rhodesia.

(*page* 266).

The above redistribution should be considered at a representative conference with the Governor of Southern Rhodesia (as High Commissioner of the Central Territories) as Chairman.

CO-ORDINATION WITH NORTH-EASTERN GROUP (*pages* 260, 267–268).

D. The co-ordination of services and interests with the North-Eastern Territories should be maintained by local conference between the heads of the two administrations as well as through the Colonial Office.

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## SUMMARY OF THE MAJORITY REPORT ON THE CENTRAL AFRICAN TERRITORIES.

THE STATUS QUO (*page* 285).

1. The independent status of the Governments of Nyasaland and Northern Rhodesia should be maintained pending further development of communications and of mineral exploitation in Northern Rhodesia, both of which may have an important bearing on the settlement of administrative boundaries.

2. In the meanwhile the following measures are recommended :

HIGH COMMISSIONER (*pages* 285–286).

(*a*) The High Commissioner or Governor-General of Eastern Africa should be the Secretary of State's chief adviser on important matters of policy affecting Nyasaland and Northern Rhodesia.

(*b*) The Governor-General should pay occasional visits to Nyasaland and Northern Rhodesia in an advisory capacity. He should not have any executive authority over the Governors.

GOVERNORS' CONFERENCE (*page* 286).

(*c*) The Governors of these two Protectorates should continue to attend the Governors' Conference. The Government of Southern Rhodesia should be invited to send a representative to the Conference.

ENQUIRIES (*page* 287).

(*d*) Enquiries into matters of native policy and white settlement on the lines indicated in the annexure to Chapter VI, Part I, should be carried out in Nyasaland and Northern Rhodesia in consultation with the Governor-General of Eastern Africa.

RESEARCH (*pages* 135, 277).

(*e*) Nyasaland and Northern Rhodesia should be included in the same group as the Eastern African Dependencies for purposes of research.

(*f*) An official majority should be maintained in the Legislative Councils of both Protectorates, but there is no objection to a moderate increase in the unofficial representation by nomination, in the case of Nyasaland, and by raising the number of Elected Members in the case of Northern Rhodesia. LEGISLATIVE COUNCILS (*pages* 286–287).

(*g*) Institutions for local government both in the settled areas and among the natives in Nyasaland and Northern Rhodesia should be developed as vigorously as possible. LOCAL GOVERNMENT (*page* 287).

(*h*) An attempt should be made in Nyasaland to build up responsible native administrations and native authorities, and it might be advantageous that an experienced officer should be lent to Nyasaland by the Government of Tanganyika to assist in the necessary enquiries. NATIVE ADMINISTRATIONS (*page* 287).

## NOTE ON BOUNDARY QUESTIONS, BY THE CHAIRMAN.

In Chapter V (page 137), of our Report, a reference is made to the re-arrangement of boundaries to increase the ease and efficiency of administration, and to the facilitation of this by the establishment of a Central Authority.

The matter appears to me to be one with which the future of good government in the territories is so closely bound up that it may with advantage receive more extended and definite treatment than it receives in the passage referred to.

### *Present Conditions.*

Reference has been made to the arbitrary manner in which the inter-colonial boundaries of the Eastern African territories have been determined. They are the effect of historical accident and not of any reasoned plan. They have grown up piecemeal as a result of the labours of the early travellers, who wandered at large, and of international diplomacy in search of rough-and-ready compromises, in early days, and with little knowledge of geographical conditions and less of ethnographical. In consequence, they have frequently no relation whatever to the interests of the inhabitants or the convenience of the administration. They disregard natural features, such as mountains, rivers, and watersheds. They are unrelated to convenience of communication and water supply. They cut through tribes, leaving parts of the same tribe to be administered by different Governments on different systems. The effect upon the native mind of such arbitrary differences in the administration of parts of one tribe is deplorable. Naturally it cannot understand why a thing that is right for one part is wrong for the other. The patent unreason of the discrepancy weakens the whole authority of government.

There are many places where adjustments of boundary, and not adjustments on a small scale only, are evidently desirable to remedy the defects. They may be divided into two classes, large and small.

In the first class may be put the following :—

(1) The question of the Lake area ;
(2) The Masai question ;
(3) The Coastal question ; and
(4) The Kilimanjaro Highlands.

### *The Victoria Lake Area.*

(1) The area surrounding Lake Victoria has a natural unity. The facility of water transport on the Lake connects the riparian territories closely together. Although there are wide differences between the riparian tribes, and particularly between those on

the west shore, those in the Kavirondo Province of Kenya, and those in the Mwanza Province of Tanganyika, yet there are features of marked similarity.

For the development of these areas, and particularly for the development of water transport on the Lake, and of communications to act as feeders for water transport, it is desirable that the administration of all the riparian areas should be co-ordinated so that the parts of the system of communications based upon the Lake may each be properly related to the whole.

There is another strong reason for such co-ordination. Round Lake Victoria have spread in the past some of the most formidable epidemics which have visited Eastern Africa. The Lake by facilitating communications facilitates the spread of infection. Public health requires that the policy of disease prevention, both in respect of human diseases and animal diseases, for the whole area linked together by the Lake, should be under a single control. The present dispersion of control between three separate Governments interposes grave difficulties in the way of effective administration in this vital matter.

Nevertheless, it must be admitted that it is not possible at once to include the whole Lake area under a single administration. The Kavirondo area has become bound by economic links to the Kenya State, and it would not be possible to effect a divorce under present conditions without an economic convulsion. The Mwanza area has become linked by railway communication to Tanganyika, and from the point of view of its ethnographical conditions as well as from that of its economic interests, it is less closely associated than the neighbouring province of Bukoba with the other parts of the Lake area. The province of Bukoba, on the other hand, is more closely associated with Uganda, both by geographical position, ethnological characteristics, and economic interests. It is remote from any centre of administration in Tanganyika. It is within easy reach of the centres in Uganda by road and water transport on the Lake. The people of the province, or at least the ruling class, if they are not closely akin to the people of the Buganda Kingdom, about which there is difference of opinion, have undoubtedly long shared in the ideas and to some extent in the type of social organization of that Kingdom. They consider themselves, it is said, compatriots with the races to the north and not with the races to the south. It is an accident of history only that they are included in the southern administration, and for the sake of their normal and vigorous development along lines of progress suited to their racial and social characteristics, there would be advantage in unifying their administration with that of Uganda.

With the possible exception of the transfer of the Bukoba province to Uganda, no immediate re-adjustment of political boundaries is suggested to unify the Lake area. Nor is that necessary to

secure the benefit of a co-ordination of the interests referred to above. That can be secured on the establishment of a Central Authority without any re-adjustment of political boundaries. A Central Authority might, and should, make it its special care to ensure a common policy for the development of water transport on the Lake, and of feeders for that transport, and a common policy for the prevention of disease in the area, and to put those policies into force.

In course of time, as the political unity of the three territories grows, under the co-ordinating influence of a Central Authority, it may be desired to re-adjust the administrative boundaries in order to unify the Lake area for all purposes. If that ever comes about it can only be as the result of so strong a growth of the sense of unity in the territories that it becomes a matter of comparative indifference to economic interests where the administrative divisions of the territories are placed.

### *The Masai.*

The most conspicuous instance of the arbitrary and unscientific nature of the present boundaries is that part of the boundary between Kenya and Tanganyika that cuts in two the great Masai Tribe. It is a tribe which is perhaps more peculiar and homogeneous in its characteristics than any other. This race of warriors, and primitive herdsmen, with their strong traditions as conquerors, is essentially one. Every Masai in spite of their internal sub-divisions is much more like every other Masai than he is like any other tribesman. Their habits, organization, and customs, wholly peculiar to themselves, their language and their economic interests, wholly centred in their great herds, are one for the whole race. The boundary cuts this people in two, with no more concern for their ideas or for the justice or convenience of their administration than the scythe has for a blade of grass. Sub-divisions of the tribe are split. Some have difficulties in getting at their traditional water supplies. The Kenya and Tanganyika Governments administer policies which are radically different as regards the prevention of animal diseases. They have different systems of general administration and rates of taxation. The Masai are told that there is a line across the country, when they know of no line, and that those on one side of the line must keep rules different from the rules kept by those on the other. They are unable to appreciate why there should be any difference. The effect upon them is confusion of mind and a lessening of the influence of both Governments. There does not indeed appear to be any good reason why the two sections of territory inhabited by this tribe should not be administered as a single territory, either in the interests of the Masai themselves or in that of facility of administration.

To remedy this grave abuse under existing conditions is difficult, if not impossible. The differences between the methods of the two Governments concerned are too wide to be removed by voluntary conferences between officers concerned in the administration of the reserves. There are grave objections under existing conditions to the unification of the reserves as a single administrative unit under one Government or the other. Were the whole Kenya reserve to become part of Tanganyika, it would bring Tanganyika right up to the Kenya-Uganda Railway and prejudice the development of that system. Were the whole Tanganyika reserve to become part of Kenya, it would have a similar effect on the Tanganyika Railway. As long as there is a division of interests between the two, no satisfactory settlement is possible. With the establishment of a Central Authority to secure co-ordination of those interests, the matter can be adjusted. One course which would then be open would be that the two reserves should be amalgamated forthwith as a single native territory under the direct government of the Central Authority. For reasons of general policy it is not recommended that the Masai should be thus wholly detached from the local Governments. A better course would be that the Central Authority should make use of its powers to lay down a common policy in such basic matters as taxation, and should establish a joint Masai Board, of the officials of the two Governments, to secure co-ordination of administrative policy in such matters as prevention of animal disease, methods of administration in general, and boundary questions. As in the case of the Lake area, the growth of a sense of political and economic unity may at some future date lead to the unification of the Masai lands for all purposes. But that the future alone can tell.

### *The Coastal Area.*

The Coastal area, from the limits of the cultivable area in the north as far as the Pangani River, possesses certain characteristics common to its whole extent which give it a unity, which, though far less than that of the Masai territories, nevertheless deserves consideration from the point of view of the inhabitants and of facility of administration. The agricultural conditions of the various political divisions of the region are similar, and are substantially different from those of any other part of Eastern Africa. The similarity is due to the nature of the soil, which is peculiar to the region, and to the coastal climate. Social and ethnological conditions bear also strong resemblances throughout the region, and are markedly different from those of the interior. The inhabitants consist for the most part of Swahili, a mixed race peculiar to this region, with Arab and other immigrant communities more numerously represented than elsewhere. There is one language, Kiswahili, in common use throughout the region. The

system of tenure, involving large areas of freehold land, due to the special historical circumstances of the region, is peculiar to the region. The Kenya-Tanganyika boundary abruptly divides the region, actually cutting in two one tribe (the Wadigo), to the detriment both of the interests of the inhabitants and of good administration.

*The Kilimanjaro Highlands.*

The heights of Kilimanjaro and Mount Meru, together with the agricultural regions of Moshi and Arusha, in their geographical, climatic, and social conditions, more resemble the neighbouring regions of Kenya than they do those of Tanganyika. There is a larger proportion of white settlement here than elsewhere in Eastern Africa, outside Kenya. The communications of the district are now joined by rail to the port of Kilindini in Kenya. The road system of the district also links it with Kenya rather than with Tanganyika.

It is, therefore, a matter for consideration whether now, or at some future time, this area should not be transferred to Kenya for the purposes of administration. The inhabitants might benefit by closer association with the Government in control of their chief communications, and with the larger white community of Kenya. The administration of Tanganyika might benefit also, for which it is inconvenient to administer this isolated area, markedly different in characteristics from the rest of its territories. Were the present state of affairs to continue, it would probably be better that such a transfer should be made forthwith. With the foundation, however, of a Central Authority to co-ordinate the policy of the territories, and particularly policy for the development of areas suitable for white settlement, there is no pressing reason for any such change. The Central Authority will ensure due regard for the interests of the inhabitants of the area in the matter of inter-colonial communications. There is a reason against the transfer. It would be contrary to the political interests of Tanganyika to deprive it of the stimulus of the European community of these highlands. Matters had better rest as they are for the present. The transfer of the area to Kenya as a question of administrative convenience can be considered, as in previous cases, at some future time when the growth of a sense of unity has made the situation of administrative boundaries a matter of secondary importance.

*Minor Adjustments.*

There are two minor adjustments of boundaries that should receive immediate attention. Where the Kenya-Tanganyika boundary meets Lake Victoria, it cuts the traditional lands of the Watende tribe. The division inflicts hardship on the tribe and hinders the work of administrative and departmental officers, in

particular those engaged in the application of rules for the prevention of human and animal disease. The natural boundary here would seem to be either the Mara or the Karunga River.

Similarly, where the Tanganyika-Uganda boundary meets the Lake, it cuts the tribal organisations in two, to the detriment of the interests of all concerned. The natural boundary here would seem to be the Kagera River.

*Mandated Areas.*

Some of the adjustments referred to would involve the transfer to adjacent British Governments of small pieces of mandated territory, and perhaps the inclusion of a small piece of non-mandated territory in that mandated. This would necessitate corrections in the finance accounts of Tanganyika before presentation to the Mandates Commission in order to present a complete picture of the mandated territory. They could be made with a little trouble in book-keeping.

*Conclusion.*

It should be the task of the Central Authority to effect an immediate adjustment of the boundaries in minor particulars, and to control the development of policy in respect of major questions of this sort.

E. HILTON YOUNG.

17*th October*, 1928.

# APPENDIX I

## (A) Itinerary and Proceedings.

| *Date.* | —— | *Evidence. (Sittings.)* | *Visits.* |
|---|---|---|---|
| 1927. 22nd December | Left London for Venice | — | — |
| | **Sudan.** | | |
| 1928. 1st January... | Arrived Khartoum ... | — | Cotton fields of Sudan Plantations Syndicate *en route* to Makwar, and Sennar Dam. |
| 13th January... | Arrived Rejaf ... ... | — | — |
| | **Uganda.** | | |
| 16th January... | Arrived at Butiaba and left by car for Masindi. Met residents. | — | — |
| 17th January... | Left Masindi by car for Hoima. | — | Lukiko (Parliament) of Bunyoro. Offices of Native Government. Native Hospital. |
| | Motored to Entebbe. (Sir G. Schuster joined the party *en route* to Entebbe.) | | |
| 18th January to 26th January. | At Entebbe ... ... | 12 | Kampala. Lukiko of Kabaka of Buganda. Native Government Offices. Makerere College. Agricultural College at Nakasero. Native Hospital at Mulago. Church Missionary Society's headquarters at Namirembe. White Fathers' Mission at Rubaga. Mill Hill Mission at Nsambya. Budo School (Church Missionary Society). |
| 26th January... | Left Entebbe by car for Jinja. | — | Uganda Sugar Company's estate at Lugazi. |
| 26th January. | At Jinja ... ... | 1 | — |

| *Date.* | —— | *Evidence. (Sittings.)* | *Visits.* |
|---|---|---|---|
| | **Kenya.** | | |
| 27th January... | Arrived at Eldoret. Met residents. | — | Farms in vicinity of Eldoret. |
| 28th January... | Arrived at Kitale. Met residents. | — | Farms in vicinity of Kitale. |
| | Left for Eldoret. | | |
| 29th January... | Left Eldoret by car for Kisumu. | — | Kapsabet. Nandi and Kavirondo Reserves. |
| 30th January... | At Kisumu ... ... | 2 | Church Missionary Society's Mission Station at Maseno.<br>Roman Catholic Mission Station at Iregi.<br>Indian agricultural settlement at Kibos. |
| 31st January ... | Arrived Molo. Met residents.<br>Proceeded to Keringet by car. Met residents. | — | — |
| 1st February | Left Keringet by car for Njoro. Met residents. | — | Solai Valley. |
| 2nd February | Motored from Njoro to Nakuru. Met residents. | — | — |
| 2nd February to 17th February. | At Nairobi ... ... | 16 | Kabete Agricultural and Veterinary Laboratory.<br>Jeanes School.<br>Railway Workshops.<br>Tours in Masai Reserve and Kikuyu Reserve.<br>Met residents at Nyeri and Nanyuki. |
| 17th February | Left Nairobi for Mombasa. | — | — |
| 18th February to 19th February. | At Mombasa ... ... | 3 | Kilindini Harbour.<br>Indian School. |
| 19th February | Left Mombasa by train for Moshi. | | |
| | **Tanganyika.** | | |
| 20th February to 21st February. | At Moshi ... ... | 1 | Central School, Moshi.<br>Mission, Native Plantations, and Native Government Offices at Machame. |
| 22nd February | Motored to Arusha ... | 2 | — |
| 24th February | Arrived Muhesa ... | — | Laboratories and Nurseries at Amani Institute. |
| 25th February | At Tanga ... ...<br>Embarked for Dar-es-Salaam. | 1 | — |

| *Date.* | —— | *Evidence. (Sittings.)* | *Visits.* |
|---|---|---|---|
| 26th February to 1st March. | At Dar-es-Salaam ... | 4 | Customs Pier, Quay, Warehouse, Locomotive Shops, etc. |
| 2nd March ... | Left for Tabora. At Morogoro interviewed the Chief Labour Commissioner and the District Officer. | — | — |
| 4th March ... | Arrived at Tabora ... | 1 | Central School, Tabora.<br>Kiziko School for sons of Headmen.<br>House of Chief Sidi. |
| 5th March ... | Arrived at Dodoma ... | 1 | Hospital.<br>Central Lunatic Asylum. |
| 6th March to 8th March. | At Dar-es-Salaam ... | 1 | — |
| 8th March ... | Left by H.H.S. "Khalifa" for Zanzibar. | — | — |
| | **Zanzibar.** | | |
| 8th March to 12th March. | In Zanzibar ... ... | 3 | H.H. The Sultan of Zanzibar. |
| 12th March ... | Left Zanzibar ... ... | — | — |
| 16th March ... | Arrived Beira ... ... | — | — |
| 17th March ... | Trans-Zambesia Railway to Muraçca. | — | — |
| 18th March ... | Arrived Zomba ... | — | — |
| | **Nyasaland.** | | |
| 18th March to 25th March. | At Zomba ... ... | 7 | Railway Headquarters, and Tobacco Estates at Limbe.<br>Namweras and Fort Johnston.<br>Experimental Station of Empire Cotton Growing Corporation, and Native and European Tobacco Plantations.<br>Missions at Blantyre.<br>Government Station at Liwonde for a meeting of the Native District Council. |
| 25th March ... | Motored to Mlanje ... | 1 | Lauderdale Tea Factory. |
| | Motored to Chole ... | 1 | — |
| 26th March ... | At Blantyre ... ... | 2 | Imperial Tobacco Company's Factory at Limbe. |
| 28th March ... | At Beira ... ... | — | Harbour Works at Beira. |

| Date. | — | Evidence. (Sittings.) | Visits. |
|---|---|---|---|
| | **Southern Rhodesia.** | | |
| 30th March to 2nd April. | At Salisbury ... ... | 3 | Dembashawa (Government Agricultural School). Veterinary and Medical Laboratories. |
| 3rd April ... | At Bulawayo .... ... | 1 | — |
| | **Northern Rhodesia.** | | |
| 4th April to 5th April. | At Livingstone ... | 2 | — |
| 6th April ... | Arrived Lusaka ... | 1 | — |
| 7th April ... | Arrived Broken Hill ... | 1 | Broken Hill Mine. |
| 8th April to 11th April. | At Livingstone ... | 3 | — |
| | **Southern Rhodesia.** | | |
| 12th April ... | At Bulawayo ... ... | — | Native locations at Wankie Coal Mine. |
| | **South Africa.** | | |
| 15th April to 20th April. | At Cape Town... ... Interview with Prime Minister on 17th April. | 5 | — |
| 20th April ... | Left for England by S.S. "Armadale Castle." | 2 (Mr. Justice Feetham— 30th April & 3rd May.) | — |
| 7th May ... | Arrived at Southampton | — | — |
| | Evidence taken in London on 18th May, 18th June and 25th July. | 3 | — |
| | Total ... ... | 80 | |

## (B) LIST OF WITNESSES.

### Uganda.

Abrahams, S. S., Attorney-General.
Amin, C. J., Indian Association.
Blair, Dyson, Land Officer.
British Cotton Growing Association (represented by Mr. Reynolds).
Busoga Lukiko, President of.
Campling, Rt. Rev. J., Catholic Mission.
Carpenter, B.A., M.D., B.Ch., Dr. G., Specialist Officer, Sleeping Sickness.

Cooper, O.B.E., P. W., Provincial Commissioner.
Dain, C.B.E., C. K., Treasurer.
Duke, O.B.E., M.D., Dr. H. L., Deputy Director of Laboratory Services.
Eastern Province Chamber of Commerce, Jinja (represented by Mr. Wallis, Mr. Aratoon, Mr. Desai, one other member).
Gowers, K.C.M.G., Sir William, Governor and Commander-in-Chief.
Grace, Rev. H. M., King's School, Budo.
Griffin, Sir Charles, Chief Justice.
Hindley, Sir Clement, Chief Commissioner of Railways, India.
Harvey, O.B.E., Lt.-Col. R. B. L., O.C. Troops.
Hussey, E. R. J., Director of Education.
Kabaka of Uganda, H.H. The.
Keane, D.S.O., M.D., D.P.H., Major G. J., Director of Medical and Sanitary Services.
Laan, Father, Catholic Mission.
Lawrence, O.B.E., Major E. H. T., Commissioner of Police and Prisons.
Mukama of Toro, The.
Poulton, M.R.C.V.S., W. F., Chief Veterinary Officer.
Railway Advisory Council (represented by Mr. R. S. D. Rankine, C.M.G. Mr. Dyson Blair, Dr. H. H. Hunter, Mr. A. D. Jones).
Rankine, C.M.G., R. S. D., Chief Secretary.
Simpson, C.M.G., S., Director of Agriculture.
Uganda Chamber of Commerce (represented by Mr. G. Ishmael, President and others).
Uganda Planters' Association (represented by Mr. F. L. Guilbride, Mr. N. D. Allen, Mr. H. Maclevin, Mr. F. J. Gorton).
Unofficial Members of Legislative Council (Mr. C. J. Amin, Dr. H. Hunter, Mr. L. M. Seth-Smith).
Wayland, E. J., Director of Geological Surveys.
Willis, O.B.E., D.D., Rt. Rev. J. J., Bishop of Uganda.

## Kenya.

Arabs of Mombasa (represented by Sheikh Rashid bin Salim, Sheikh Rashid bin Sood, Sheikh Haidar bin Mohamed, Sheikh Hamed bin Mohamed).
Baluchi Community of Mombasa, deputation from (consisting of Mr. Hussein Dory, Mr. Mirza Ahdurahamar, Mr. Dakoo Dahagi, Mr. Mahomed Warshow (Interpreter) ).
Barth, C.B.E., Sir Jacob, Chief Justice.
Brandsma, Mgr., Catholic Mission, Kisumu.
Cable, J. A., Editor, *Times of East Africa.*
Campbell, W. F. G., *Provincial Commissioner, Ukamba.*
Chambers of Commerce, *Association of East African (represented by Mr. A. C. Tannahill, Mr. W. Tyson, Mr. W. C. Mitchell, Mr. A. C. Freeman Pannett, Colonel W. H. Franklin, C.B.E., D.S.O., Mr. R. W. Playfair).*
Chamber of Commerce, *Kisumu (represented by Mr. J. L. Riddoch, Mr.* N. J. Desai).
Chamber of Commerce, Mombasa (represented by Mr. R. S. Campbell, Mr. A. M. Campbell, Mr. P. H. Clarke, Mr. E. C. Phillips, Mr. W. F. Jenkins, Mr. A. F. M. Crisp).
Denham, K.B.E., C.M.G., Sir Edward, Colonial Secretary.
Dickson, M.C., T. A., Resident Commissioner.
Dobbs, C. M., Provincial Commissioner, Nyanza.
Eldoret Settlers.
Elected Members of Legislative Council and Executive of Convention of Associations (consisting of:
*Elected Members:* Rt. Hon. Lord Delamere, Mr. Conway Harvey, Lt.-Col. Lord Francis Scott, D.S.O., Captain H. E. Schwartze, Lt.-Col. C. G. Durham, D.S.O., Major R. W. B. Robertson Eustace,

D.S.O., Major H. F. Ward, Captain E. M. V. Vaughan Kenealy, Mr. T. J. O'Shea, Captain W. Tyson, Colonel C. Phillips (Secretary).
*Convention Executive:* Mr. C. Kenneth Archer, Mr. E. Powys Cobb, Mr. R. H. Pringle, Colonel A. I. Lean, D.S.O., Captain M. S. H. Montagu, Colonel C. C. Griffiths, Mr. A. C. Tannahill, Major F. de V. Joyce, Major Gaitskill (Secretary) ).

Felling, C.M.G., C. L. N., General Manager, Kenya and Uganda Railway.
Fitzgerald, O.B.E., T., Postmaster-General.
Franklin, C.B.E., D.S.O., Colonel W. H., H.M. Trade Commissioner for the Eastern African Territories.
Gilks, F.R.C.S., L.R.C.P., Dr. J. L., Director of Medical and Sanitary Services.
Grannum, C.M.G., R. C. Treasurer.
Grigg, K.C.M.G., K.C.V.O., D.S.O., M.C., Sir Edward, Governor and Commander-in-Chief.
Harris, Rev. H. T., Church Missionary Society.
Harrison, E., Acting Director of Agriculture.
Horne, E. B., Provincial Commissioner; Masai.
Huggard, K.C., W. C., Attorney-General.
Indian Association, Kisumu (represented by Mr. Manji Janmahomed, Mr. P. K. Ghandy, Mr. N. J. Desai, Mr. P. L. Pandya, Mr. Kassim Janmahomed, Mr. Shanji Harji, Mr. Didar Singh, Mr. Damji Kara, Mr. P. F. Patel).
Indian National Congress, Eastern Africa (represented by Mr. V. V. Phadke, Mr. J. B. Pandya, Mr. M. H. Malik, Mr. A. B. Patel).
Kavirondo Chiefs.
Kikuyu Association.
Kikuyu Central Association.
Kitale Settlers (represented by Colonel Kirkwood, Major Bolton, Mr. Pharazyn, Admiral Crampton, Mr. Kirk, Mr. Manley, Mr. Weller).
Leech, L., Editor, *Kenya Daily Mail.*
Mackenzie, T. R. S., Manager, National Bank of India, Kisumu.
Martin, H. T., Commissioner of Lands and Local Government.
Maxwell, G. V., Chief Native Commissioner.
Missionary Council of Kenya (represented by Rev. J. W. Arthur, O.B.E., M.D., Rt. Rev. A. S. Heywood, Bishop of Mombasa, Rev. Canon G. Burns, Rev. L. H. Downing, Mr. A. Ruffell Barlow).
Morrison, A., President, Coast Planters' Association, Mombasa.
Port Advisory Board (represented by Mr. G. Walsh, Mr. G. Bulkeley, Mr. A. Campbell, Mr. E. Goodhind, Mr. J. Cumming).
Tucker, Lt.-Col. W. K., Unofficial Member of Railway Advisory Council.
Walker, C.B., C.M.G., D.S.O., Colonel-Commandant H. A., Inspector-General, King's African Rifles
Walsh, G., Commissioner of Customs.
Walter, A., Statistician.
Ward, Major H. F., Member Legislative Council.
Watkins, C.B.E., D.S.O., Colonel O. F., Provincial Commissioner, Coast.
Wilson, W. McClellan.
Workers' Federation (represented by Mr. T. McClure, Mr. J. Riddell, Mr. Mortimer).
Young Kavirondo Taxpayers' Association.

**Tanganyika.**

Adams, O.B.E., E., Comptroller of Customs.
Anderson, F. J., Settler, Arusha.
Arusha Coffee Planters' Association (represented by Captain H. R. Rydon, Mr. R. R. Ulyate, General Boyd Moss, Captain F. W. Hudson, General Malan, Mr. M. Michalakis).

Arusha Chiefs and Native Planters.
Bagshawe, F. J., Provincial Commissioner, Iringa.
Baines, O.B.E., D. L., Provincial Commissioner, Tanga.
Boyd Moss, Brig.-Gen. B., Member of Legislative Council.
Cameron, K.C.M.G., K.B.E., Sir Donald, Governor and Commander-in-Chief.
Dar-es-Salaam Chamber of Commerce (represented by Mr. A. A. Menkin, Mr. H. H. Robinson, Mr. H. D. Lehmann, M.B.E., Mr. A. B. Massie, Mr. J. Shankland).
Dumas, A. B., Settler, Moshi.
Dundas, O.B.E., Hon. C. C. F., Secretary for Native Affairs.
Ewbank, C.I.E., R. B., I.C.S.
Gillman, C., Chief Engineer, Tanganyika Railways.
Gaeher, Mr., German Community, Tanga.
Hellenic Union (represented by Mr. Lagos, Mr. Monnas, Mr. Economides).
Hoy, Lt.-Col. A., late 1820 Settlers' Association, South Africa.
Hignell, H., Provincial Commissioner, Dodoma.
Indian Association, Tabora.
Indian Association, Mwanza.
Indian Association, Dar-es-Salaam.
Iringa Farmers' Association (represented by Major Grant, Mr. Dew, Mr. Thaxton).
Jackson, O.B.E., E. St. J., Attorney-General.
Kilimanjaro Native Coffee Planters' Association.
Kilimanjaro Planters' Association (including Sanya Branch) (represented by Mr. P. Wyndham, C.I.E., C.B.E., Major A. E. Perkins, Lt.-Col. Stevens, D.S.O. (Sanya Branch), Mr. F. S. Miller (Sanya Branch) ).
Mailer, M., Usambara Planters' Association.
Maxwell, D.S.O., M.V.O., M.C., Colonel G. A. P., General Manager, Tanganyika Railways.
Mitchell, P. E., Provincial Commissioner, Moshi.
Meinhardt, F., German Community.
Moshi Chamber of Commerce.
Mothe, J. de la, Settler, Moshi.
Mwanza Chamber of Commerce.
Mwanza Chiefs.
Pfeng, H., Merchant and Planter, Dar-es-Salaam.
Pratt, A.M.I.C.E., F. G., Director of Public Works.
Russell, Sir A., Chief Justice.
Sapi, Chief of Wahehe Tribe, Iringa.
Singh, C.I.E., Kunwar Maharaj, I.C.S.
Storm, W. T., Postmaster-General.
Tabora Chiefs.
Tabora Chamber of Commerce.
Tabora Planters' Association.
Tanga Natives.
Unofficial Members of Legislative Council (Mr. H. Ruggles Brise, Mr. N. F. Howe-Browne, Mr. W. Stewart).
Wachagga Community.
Wyatt, A. H. L., Provincial Commissioner, Tabora.
Zavellas, J., Planter, Dar-es-Salaam.

### Zanzibar.

Arab Deputation (consisting of Seyyid Salim bin Kindeh el-Busaidi, Sheikh Mahomed bin Hilal el-Barwani, Sheikh Ali bin Ameir el-Harhubi, Sheikh Abdalla bin Suleman el-Harthi).
Crofton, R., Chief Secretary.
Cox, N. B., Treasurer.

Doctor, P. S., Member of Legislative Council.
Grazebrook, W., Member of Legislative Council.
Hollis, K.C.M.G., C.B.E., Sir Claud, British Resident.
Indian National Association (represented by Mr. Tyab Ali, Mr. Anantani and others).
Kirsopp, G. D., Controller of Customs.
Nowell, W., Director of Amani Institute.
Sually, K. K., Member of Legislative Council.
Sayer, S. H., President of Chamber of Commerce.
Tomlinson, Sir Thomas, Chief Justice.

### Nyasaland.

Abraham, M.B.E., J. C., Administrative Officer.
Barron, A. F., Imperial Tobacco Company.
Blantyre Chamber of Commerce and Agriculture, Blantyre Merchants' Association and Nyasaland Planters' Association (represented by Mr. R. S. Hynde, Major Sanderson, Colonel Sanders, Mr. D. Selkirk, Mr. H. J. Bligh, Mr. F. M. Withers).
Bowring, K.C.M.G., K.B.E., Sir Charles, Governor and Commander-in-Chief.
Burberry-Seale, C., Chairman, Nyasaland Planters' Association.
Cholo Planters' Association (represented by Mr. W. Sanderson, Mr. W. H. Timcke, Mr. F. M. Withers, Mr. J. Tennett, Mr. J. Madden.
Ducker, H. C., Empire Cotton Growing Corporation.
Fisher, D.D., Rt. Rev. T. C., Bishop of Nyasaland.
Fort Jameson Planters (represented by Mr. Foster, Mr. Robertson, Mr. Bruce).
Gaunt, R. F., Director of Education.
Griffiths, F.R.C.V.S., J. A., Chief Veterinary Officer.
Hawkins, D.S.O., Lt.-Col. E. L.. O.C. Troops.
Howard, E. C., Imperial Tobacco Company.
Kirby-Green, W., Provincial Commissioner, Southern Province.
Missions, Federated (represented by Mr. Borrowman, Mr. Bowman, Church of Scotland; Mr. Young, United Free Church of Scotland; Mr. Retief, Mr. Steytler, Dutch Reformed Church Mission; Mr. Ferguson, Mr. Holmes, Zambesi Industrial Mission; Mr. Osborne, Nyasa Mission; Mr. Wilson, Seventh Day Adventists).
Mlanje Planters' Association (represented by Mr. Scott, Mr. Garden, Mr. Shinn, Mr. Aitchison).
Paradis, Father, White Fathers' Mission.
Partridge, T. M., Unofficial Member of Legislative Council.
Pellatt, M.C., O.B.E., Major H. F. M., Manager, British Central Africa Company.
Reed, Haythorne, Judge of the High Court.
Sanderson, Major I. C., Manager, A. L. Bruce Estates.
Tait-Bowie, W., Unofficial Member of Legislative Council.
Thériault, Father, Marist Mission.
Tucker, K. R., Treasurer.
Warren, E. H., Comptroller of Customs.
Wortley, O.B.E., E. J., Director of Agriculture.

### Northern Rhodesia.

Clark, J. B., Director of European Education.
Davidson, R., Mayor of Livingstone.
Deputation from Mazabuka and Lusaka Districts (consisting of Messrs. Tom King, L. J. Marston, H. Ilsley, G. P. Burdett, E. A. Copeman, J. M. Oosthuisen, E. H. Cholmeley, Sam Haslett, R. H. Kirk, W. Cross, J. Gibson Hall, P. H. Bell).

Dobree, O.B.E., C. H., Treasurer.
Ellis, P. F., Ex-Member of Legislative Council.
Ellis, Rev. W. H. P., General Missionary Conference of Northern Rhodesia.
Hall, P. E., Resident Magistrate, Barotse District.
Macfarlane, J., Settler.
Maxwell, K.B.E., C.M.G., Sir James, Governor and Commander-in-Chief.
Moore, L. F., Unofficial Member of Legislative Council.
Murray, Captain T. H., Unofficial Member of Legislative Council.
Northcote, G. A. S., Chief Secretary.
Residents of Broken Hill District (represented by Messrs. Louis Gordon, C. B. Kingston, F. T. Knaggs, G. C. Norris, A. Roy, W. W. Freigenbaum, W. R. Watson).
Stephenson, C.M.G., D.S.O., M.C., Lt.-Col. A., Commandant of Police.
Stephenson, J. E., Settler.
Stirke, D. C., Unofficial Member of Legislative Council.
Tagart, C.B.E., E.S.B., Secretary for Native Affairs.
Vivian, Dr. A. C., Secretary for Mines.
Yeta III, Paramount Chief of Barotseland.
Young, A. K., District Superintendent, African Lakes Corporation.

### Southern Rhodesia.

Ministers and Leader of Opposition: Moffat, C.M.G., M.L.A., The Hon. H. U., Premier and Minister of Native Affairs; Fynn, C.M.G., M.L.A., The Hon. P. D. L., Treasurer; Hudson, M.C., K.C., M.L.A., Major the Hon. R. J., Attorney-General and Minister of Defence; Leggate, C.M.G., M.L.A., The Hon. W. M., Colonial Secretary; Du Port, D.S.O., M.L.A., Lt.-Col. the Hon. O. C., Minister of Agriculture and Lands; Montagu, M.L.A., Sir Ernest, Leaders of the Opposition.
Railway Commission: Mr. E. H. Hiley (Chairman); Mr. J. R. Fulton (Southern Rhodesia); Mr. A. Warren (Bechuanaland Protectorate); Sir Richard Goode (Northern Rhodesia).
Rhodesia Chamber of Mines (represented by Mr. J. G. McDonald, O.B.E., Mr. R. E. Bayliss, Bulawayo; Mr. D. V. Burnett, Salisbury).
Rhodesian Agricultural Union (represented by Mr. E. W. L. Noakes (Organising Secretary); Mr. J. Arnold Edmonds (Life Vice-President)).

### South Africa.

Chaplin, G.B.E., K.C.M.G., M.L.A., Sir Drummond.
Clifford, C.M.G., Captain the Hon. B. E. H., Imperial Secretary.
Creswell, D.S.O., M.L.A., Colonel the Hon. F. H. P., Minister of Defence.
Duncan, C.M.G., M.L.A., The Hon. P.
Loram, Dr. C. T., Member Native Affairs Commission.
Morris, C.M.G., D.S.O., Colonel G. A., General Manager, 1820 Settlers' Association.
Sturrock, J. C. R., Resident Commissioner, Basutoland.
Taberer, H. M., Native Labour Adviser to the Transvaal Chamber of Mines.
Walker, Professor E., Cape Town University.
Welsh, W. T., Chief Magistrate of the Transkeian Territories.

### London.

Allen, Sir J. Sandeman, Joint East African Board.
Bottomley, C.B., C.M.G., O.B.E., W. C., Assistant Under-Secretary of State for the Colonies.
Cranworth, Lord, Joint East African Board.
Feetham, C.M.G., H.H. Mr. Justice, Judge, Union of South Africa.
Henn, K.B.E., Sir Sydney, Joint East African Board.
Leggett, D.S.O., Sir Humphrey, Joint East African Board.

Lugard, G.C.M.G., C.B., D.S.O., The Rt. Hon. Lord.
Malcolm, D. O., Joint East African Board.
Ponsonby, C., Joint East African Board.
Sim, W. A. M., Joint East African Board.
Wigglesworth, A., Joint East African Board.
Wilson, K.C.B., K.C.M.G., K.B.E., Brig.-Gen. Sir S., Permanent Under-Secretary of State for the Colonies.

## (C) MEMORANDA.

In addition to memoranda received from official sources, written statements were received from the following:—

### Uganda.

Ankole, Omugabe of.
Bataka Community.
Buganda, ex-Native Chief Justice of.
Buganda, Kabaka of.
Buganda, Ministers of.
Busoga, Chiefs of.
Chamber of Commerce.
Cotton Association.
Folkes, A. S.
Holl, W. E.
Indian Association, Central Council of.
Planters' Association.
Toro, Ministers of.
Toro, Native Government of.
Toro Planters.
Willis, O.B.E., D.D., Rt. Rev. J. J. (Bishop of Uganda).

### Kenya.

Afro-Asian Association.
Arabs of Kenya Colony and Protectorate.
Baluchi Community.
Beaton, Duncan.
British East Africa Broadcasting Company.
Cable, J. A.
Church Missionary Society.
Chambers of Commerce of Eastern Africa, Association of.
Chamber of Commerce and Agriculture, Mombasa.
Darod Somali Community.
Davis, Alex.
Elected Members of Legislative Council and Executive of Convention of Associations.
Figgis, E. K.
Fitzgerald, Dermot.
Gordon, H. L.
Grogan, Major E. S.
Hooper, Rev. Handley D.
Hopley, F.
Indian National Congress, Eastern African.
Ishaaks Community.
Kenya Missionary Council.
Kikuyu Association.
Kikuyu Central Association.
Lamu Arabs.
Leakey, Canon H.
Leech, L. W.
McDonald, E. W. F.
Orchardson, I. Q.
Riddoch, J. L.
Stoneham, O.B.E., Captain H. F.
Uganda Natives in Kenya.
Ward, Major H. F.
Watkins, M.B.E., F.
Workers' Federation.

### Tanganyika.

Arusha Federation Committee.
Blumer, L. W. O.
Boyd-Moss, Brig.-Gen. L. B.
Chamber of Commerce, Dar-es-Salaam.
Chamber of Commerce, Moshi.
De la Mothe, J.
Dumas, A. B.
European Constitutional Association.
Fotheringham, R.
Hellenic Community.
Indian Association, Dar-es-Salaam.
Kilimanjaro Native Planters' Association.
Kilimanjaro Planters' Association.
Ruggles-Brise, R.
Siggins, A. J.
Tanga Natives.
Tanganyika Cotton Company, Ltd.

### Zanzibar.

Arab Association.
Chamber of Commerce.
Comorian Association.
Indian National Association.
Sayer, S. H.

### Nyasaland.

Barker-Wyatt, H. G.
Cholo Planters' Association.
Chamber of Agriculture and Commerce.
Northern Province Native Association.
Nyasaland Planters' Association.
South Nyasa Planters' Association.
Zomba Province Native Association.

### Northern Rhodesia.

Baker, S. J.
Barotseland, Paramount Chief of.
Broken Hill Residents.
Cholmley, E.
Fort Jameson Delegates.
Fort Jameson Planters.
Hart, H. P.
Ilsley, H.
Knight, C. S.
Law, F. D.
May, Rt. Rev. A. J. W. (Bishop of Northern Rhodesia).
Mazabuka and Lusaka Delegates.
Moore, L. F.
Murray, T. H.
Pavey, Captain B. L.
Rangeley, H.
Stephenson, J. E.
Susman, E.
Young, A. K.

### Southern Rhodesia.

Johnson, F.
Rhodesian Agricultural Union.

### General.

Henn, K.B.E., Sir Sydney.
Joint East African Board.
Leys, Dr. Norman.
Lugard, G.C.M.G., C.B., D.S.O., Rt. Hon. Lord.
Melland, F. H.

## STATISTICAL SURVEY.

| | *Kenya.* | *Uganda.* | *Tanganyika.* | *Zanzibar.* | *Nyasaland.* | *Northern Rhodesia.* |
|---|---|---|---|---|---|---|
| **Land (Sq. Miles).** | | | | | | |
| Area alienated to non-natives ... | 10,511 | 253 | 3,430 | — | 6,268 | 18,197 |
| Area included in native reserves | 48,297 | No native reserves. 9,713 sq. miles owned in freehold by natives in Buganda and Western Province, and 25 sq. miles in Eastern Province. Remainder available for native occupation. | No native reserves. All land is "public" land, held in trust for natives. | — | No native reserves. Most of balance of Crown Land is to be earmarked for native occupation. | 107,775 |
| Balance unallotted ... ... | 149,512 | — | — | — | — | 165,028 |
| Total area of land ... | 208,320 | 110,300 | 373,494 | — | 39,964 | 291,000 |
| **Population.** | (Non-native Census, 1926). | (Estimated, 1926). | (Estimated, 1927). | (Estimated, 1927). | (Census, 1926). | (Estimated 1927). |
| Native ... ... ... ... | 2,549,300 (estimated) | 3,123,581 | 4,319,000 | 183,781 | 1,290,885 | 1,237,486 |
| Non-native : | | | | | | |
| (1) Europeans and other white races. | 12,529 | 1,752 | 5,274 | 272 | 1,716 | 5,581 |
| Including officials (*a*) ... | (1772) | (370) | (727) | (79) | (211) | (291) |
| (2) Arabs ... ... ... | 10,577 | — | 4,041(*b*) | 18,844 | — | — |
| Other Asiatics ... ... | 30,583 | 11,613 | 19,659 | 13,859 | 982 | 60 |

| —— | *Kenya.* | *Uganda.* | *Tanganyika.* | *Zanzibar.* | *Nyasaland.* | *Northern Rhodesia.* |
|---|---|---|---|---|---|---|
| **Finance.** | £ | £ | £ | £ | £ | £ |
| (1) Outstanding public debt ... | 14,905,016(*c*) | 1,648,290 | 5,205,446 | 100,000 | 1,925,211 | 410,500 |
| (i) Raised for railway and port construction. | 11,252,184 | 375,568 | 3,421,341 | — | 751,734 | — |
| (ii) Raised for other purposes. | 3,652,832 (*d*) | 1,272,722(*d*) | 1,784,105 | 100,000 | 1,173,477(*d*) | 410,500 |
| (2) Revenue (excluding railways) (1927 or 1927–8). | 2,846,110 | 1,292,306 | 1,904,106 | 540,300 | (9 months only) 396,341(*e*) | 474,204 |
| (3) Expenditure (excluding railways) : | | | | | | |
| (i) Ordinary ... ... ... | 2,449,867 | 1,306,007 | 1,517,253 | 427,093 | (9 months only) 232,769 | 467,971 |
| (ii) Extraordinary ... ... | 120,107 | 253,893 | 223,938 | 181,033 | (9 months only) 98,553 | 50,694 |
| **Trade.** | | | | | | |
| (1) Exports (1927) (Excluding Government stores, bullion and specie). | 3,086,916 | 2,310,300 | 3,295,461 | 1,237,716 | 929,546 | 667,315 |
| (2) Imports (1927) (Excluding Government stores, bullion and specie). | 4,883,359(*f*) | 1,587,989 | 3,101,185 | 1,703,580 | 938,461 | 1,957,138 |

(*a*) Figures taken from staff lists for 1927, a deduction of one-third being made for absences on leave.
(*b*) At census of 1921.
(*c*) Kenya has also a contingent liability for repayment of £5,686,436 advanced from Imperial Funds for the construction of the Kenya-Uganda Railway. Question of repayment to be considered in 1933.
(*d*) Includes contingent liabilities in respect of war expenditure from Imperial Funds, as follows :—Kenya, £1,405,016 ; Uganda £533,989 ; Nyasaland, £958,990.
(*e*) Includes loan grant-in-aid of £50,000.
(*f*) Excluding goods valued at £929,650 imported from Tanganyika mainly for re-exportation.

## APPENDIX III.

## EASTERN AND CENTRAL AFRICA: FINANCIAL STATISTICS.

| *Year.* | *Revenue.* | *Expenditure.* | | *Outstanding Public Debt at June, 1928.* | |
|---|---|---|---|---|---|
| | | *Ordinary.* | *Extraordinary.* | | |
| **Kenya.** | | | | | |
| | £ | £ | £ | | £ |
| 1925 ... ... ... ... | 2,430,509 | 2,087,649 | 242,347 | (1) *For Railways and Ports :* | |
| 1926 ... ... ... ... | 2,627,223 | 2,305,499 | 109,182 | Imperial Grant ... | 5,686,436(*b*) |
| 1927 ... ... ... ... | 2,846,110 | 2,449,867(*a*) | 120,107(*a*) | Public Loans... ... | 11,252,184 |
| 1928 (Estimated) ... ... | 2,859,404 | 2,636,176 | 204,021 | (2) *For other purposes :* | |
| | | | | Imperial Grant ... | 1,405,016(*c*) |
| | | | | Public Loans... ... | 2,247,816 |
| | | | | Total ... ... | £20,591,452 |
| **Uganda.** | | | | | |
| 1925 ... ... ... ... | 1,479,284 | 959,374 | 149,022 | (1) *For Railways and Ports :* | |
| 1926 ... ... ... ... | 1,389,641 | 1,066,167 | 229,445 | Imperial Grants ... | 375,568 |
| 1927 ... ... ... ... | 1,292,306 | 1,306,007(*a*) | 253,893(*a*) | (2) *For other purposes :* | |
| 1928 (Estimated) ... ... | 1,369,000 | 1,232,644 | 119,556 | Imperial Grants ... | 1,272,722(*d*) |
| | | | | Total ... ... | £1,648,290 |
| **Tanganyika.** | | | | | |
| 1925-26 ... ... ... ... | 1,970,126(*dd*) | 1,226,393 | 294,051 | (1) *For Railways and Ports :* | |
| 1926-27 ... ... ... ... | 1,691,762 | 1,096,332 | 159,061 | Imperial Grants ... | 1,585,341 |
| 1927-28 ... ... ... ... | 1,904,106 | 1,517,253 | 223,938 | Public Loan ... ... | 1,836,000 |
| 1928-29 (Estimated) ... ... | 1,842,490 | 1,649,216 | 183,612 | (2) *For other purposes :* | |
| | | | | Imperial Grants ... | 1,550,105 |
| | | | | Public Loan ... ... | 234,000 |
| | | | | Total ... ... | £5,205,446 |
| **Zanzibar.** | | | | | |
| 1925 ... ... ... ... | 578,023 | 348,673 | 194,321 | | |
| 1926 ... ... ... ... | 449,038 | 366,365 | 283,511 | | |
| 1927 ... ... ... ... | 540,300 | 427,093(*a*) | 181,033(*a*) | | |
| 1928 (Estimated) ... ... | 538,982 | 432,922 | 214,342 | Public Loan ... ... ... | £100,000 |

| Year. | Revenue. | Expenditure. | | Outstanding Public Debt. at June, 1928. | |
|---|---|---|---|---|---|
| | | Ordinary. | Extraordinary. | | |
| | | **Nyasaland.** | | | |
| 1925-26 ... ... ... ... | 432,160(*e*) | 290,575 | 106,788 | (1) *For Railways:* | |
| 1926-27 ... ... ... ... | 468,420(*f*) | 309,861 | 127,289 | Imperial Grant ... | 751,734(*k*) |
| 1927 (9 months) ... ... | 396,341(*g*) | 232,769 | 98,553 | (2) *For other purposes:* | |
| 1928 (Estimated) ... ... | 448,000(*h*) | 374,120 | 119,265 | Imperial Grant ... | 1,173,477(*i*) |
| | | | | Total ... ... | £1,925,211 |
| | | **Northern Rhodesia.** | | | |
| 1925-26 ... ... ... ... | 471,046(*j*) | 377,371 | 16,774 | Imperial Grants ... ... | 188,000 |
| 1926-27 ... ... ... ... | 421,035 | 423,435 | 32,106 | Advances from balances in anticipation of issue of Guaranteed Loan ... ... | 222,500 |
| 1927-28 ... ... ... ... | 474,204 | 467,971(*a*) | 50,694(*a*) | | |
| 1928-29 (Estimated) ... ... | 530,482 | 519,342 | 30,146 | Total ... ... | £410,500 |
| | | **Kenya and Uganda Railways and Harbours.** | | | |
| 1925 ... ... ... ... | 1,993,509 | 1,647,265 | — | | |
| 1926 ... ... ... ... | 2,058,710 | 1,868,120 | — | | |
| 1927 ... ... ... ... | 2,257,403 | 2,178,157 | — | | |
| 1928 (Estimated) ... ... | 2,431,916 | 2,282,326 | — | | |
| | | **Tanganyika Railways and Marine.** | | | |
| 1925-26 ... ... ... ... | 404,829 | 404,906 | 308,276 | | |
| 1926-27 ... ... ... ... | 511,146 | 486,753 | 242,806 | | |
| 1927-28 ... ... ... ... | 631,130 | 580,851 | 111,898 | | |
| 1928-29 (Estimated) ... ... | 702,500 | 686,660 | 555,170 | | |

NOTES.

(*a*) Estimated. (*b*) Grant for construction of Kenya-Uganda Railway. Question of repayment to be considered in 1933.
(*c*) Grant for War expenditure. Question of repayment to be considered in 1933.
(*d*) Includes grant of £533,589 for War expenditure. Question of repayment to be considered in 1933.
(*dd*) Includes Loan Grant-in-aid of £399,555.
(*e*) Includes Loan Grant-in-aid of £110,000.
(*f*) Includes Loan Grant-in-aid of £120,000.
(*g*) Includes Loan Grant-in-aid of £50,000.
(*h*) Includes Loan Grant-in-aid of £40,000.
(*i*) Includes grant of £958,990 for War expenditure. Question of repayment to be considered in 1933.
(*j*) Includes Loan Grant-in-aid of £100,000.
(*k*) Includes grants amounting to £572,362 towards guarantee of Debentures of Trans-Zambesia Railway, and £212,359 towards redemption of lands granted to Shire Highlands Railway.

# APPENDIX IV

## IMPORTS AND EXPORTS.

**Excluding Government Property, Bullion (Other than Domestic Bullion) and Specie.**

### KENYA AND UGANDA.

| | *1924.* | *1925.* | *1926.* | *1927.* |
|---|---|---|---|---|
| Imports ... ... ... | £6,178,547 | 7,838,414 | 7,267,000 | 7,400,998* |
| Exports—Kenya ... ... | £2,239,614 | 2,724,629 | 2,414,341 | 3,086,916 |
| Uganda... ... | £3,897,395 | 5,097,215 | 3,596,045 | 2,310,300 |

### TANGANYIKA.

| | | | | |
|---|---|---|---|---|
| Imports ... ... ... | £1,901,563 | 2,442,937 | 2,593,706 | 3,101,185 |
| Exports ... ... ... | £2,611,303 | 2,901,315 | 3,025,978 | 3,295,461 |

### ZANZIBAR.

| | | | | |
|---|---|---|---|---|
| Imports ... ... ... | £1,883,339 | 1,948,545 | 1,742,012 | 1,703,580 |
| Exports ... ... ... | £1,405,945 | 1,510,364 | 1,140,261 | 1,237,716 |

### NYASALAND.

| | | | | |
|---|---|---|---|---|
| Imports ... ... ... | £548,156 | 591,654 | 791,054 | 938,461 |
| Exports ... ... ... | £564,007 | 542,488 | 646,574 | 929,546 |

### NORTHERN RHODESIA.

| | | | | |
|---|---|---|---|---|
| Imports ... ... ... | £662,642 | 1,284,025 | 1,667,584 | 1,957,138 |
| Exports ... ... ... | £406,558 | 397,735 | 442,414 | 667,315 |

* Including goods to the value of £929,650 imported from Tanganyika mainly for re-export.

## APPENDIX V.

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## IMPORTS.

### Showing the proportions supplied by the British Empire and by other countries.

### (Excluding Government property, bullion and specie.)

*1927.*

| | £ | | |
|---|---|---|---|
| KENYA ... ... ... | 5,813,009* | British Empire | £4,629,353 |
| UGANDA ... ... ... | 1,587,989 | Other Countries | £2,771,645 |
| TANGANYIKA ... ... | 3,101,185 | British Empire | £1,798,687 |
| | | Other Countries | £1,302,498 |
| NYASALAND ... ... ... | 938,461 | British Empire | £621,724 |
| | | Other Countries | £316,737 |
| ZANZIBAR ... ... ... | 1,703,580 | British Empire | £1,256,663 |
| | | Other Countries | £446,917 |
| NORTHERN RHODESIA ... | 1,957,138 | British Empire | £1,465,658 |
| | | Other Countries | £491,480 |

* Including goods to the value of £929,650 imported from Tanganyika mainly for re-exportation.

The Commissioner of Customs, Kenya-Uganda, estimates that 43 per cent. of imported goods is consumed by natives.

The Government of Tanganyika estimates that 39 per cent. of imported goods is consumed by natives.

# APPENDIX VI.

## EXPORTS OF DOMESTIC PRODUCE.

### Kenya.

| | 1923. | | 1924. | | 1925. | | 1926. | | 1927. | |
|---|---|---|---|---|---|---|---|---|---|---|
| | Quantity. | Value. | Quantity. | Value. | Quantity. | Value. | Quantity. | Value. | Quantity. | Value. |
| | | | | (a) Produced Mainly by Natives. | | | | | | |
| | | £ | | £ | | £ | | £ | | £ |
| Animals (No.) (including animals for food). | — | 22,643 | 23,815 | 28,673 | 15,124 | 20,673 | 8,104 | 12,017 | 1,461 | 8,091 |
| Copra and Coconuts (Tons) ... | 702 | 13,764 | 2,019 | 46,876 | 1,623 | 36,280 | 1,195 | 26,358 | 779 | 14,384 |
| Cotton (Centals) ... ... ... | 677 | 3,026 | 677 | 2,764 | 1,696 | 8,347 | 1,261 | 5,149 | 571 | 1,731 |
| Groundnuts (Tons) ... ... | 1,958 | 32,924 | 1,548 | 26,796 | 910 | 19,181 | 1,853 | 30,941 | 1,246 | 22,524 |
| Simsim (Tons) ... ... ... | 2,132 | 37,552 | 4,020 | 84,610 | 3,030 | 64,849 | 3,605 | 76,559 | 3,419 | 67,377 |
| Hides and Skins ... ... ... | | 118,413 | | 215,161 | | 325,145 | | 239,795 | | 246,228 |
| Totals ... ... ... | | 228,322 | | 404,880 | | 474,475 | | 390,819 | | 360,335 |
| | | | | (b) Produced mainly by Europeans. | | | | | | |
| Maize (Cwt.) ... ... ... | 874,701 | 249,545 | 1,164,051 | 381,144 | 1,219,076 | 416,964 | 929,178 | 280,596 | 1,787,665 | 505,893 |
| Wheat (Cwt.) ... ... ... | 93 | 73 | 1,846 | 1,442 | 572 | 448 | 33 | 22 | 278 | 200 |
| Coffee (Cwt.) ... ... ... | 139,028 | 491,181 | 158,411 | 635,618 | 147,257 | 823,901 | 140,954 | 747,453 | 209,844 | 1,140,389 |
| Sugar (Cwt.) ... ... ... | 1,526 | 2,154 | 2,970 | 6,268 | 5,560 | 9,614 | 22,311 | 29,563 | 22,029 | 24,432 |
| Carbonate of Soda (Tons) ... | 31,762 | 142,917 | 34,326 | 154,306 | 48,306 | 213,680 | 19,427 | 87,426 | 56,675 | 253,129 |
| Sisal (Tons) ... ... ... | 8,820 | 236,044 | 11,416 | 396,777 | 14,363 | 531,129 | 14,928 | 579,499 | 15,839 | 468,974 |
| Totals ... ... ... | | 1,121,914 | | 1,575,555 | | 1,995,736 | | 1,724,559 | | 2,403,017 |
| | | | | (c) Miscellaneous Minor Items. | | | | | | |
| Miscellaneous ... ... ... | | 214,719 | | 259,179 | | 254,418 | | 298,963 | | 323,564 |
| Total exports, excluding re-exports, Government stores and specie. | | 1,564,955 | | 2,239,614 | | 2,724,629 | | 2,414,341 | | 3,086,916 |

| | 1923. | | 1924. | | 1925. | | 1926. | | 1927. | |
|---|---|---|---|---|---|---|---|---|---|---|
| | *Quantity.* | *Value.* | *Quantity.* | *Value.* | *Quantity.* | *Value.* | *Quantity.* | *Value.* | *Quantity.* | *Value.* |
| | | | | (*a*) PRODUCED MAINLY BY NATIVES. | | | | | | |
| | | £ | | £ | | £ | | £ | | £ |
| Chillies (Cwt.) ... ... ... | 17,169 | 42,914 | 21,357 | 35,500 | 2,258 | 2,935 | 1,245 | 1,714 | 1,237 | 4,359 |
| Coffee (Cwt.) ... ... ... | 45,372 | 129,716 | 41,093 | 167,695 | 29,884 | 140,019 | 33,211 | 147,885 | 43,514 | 170,408 |
| Cotton (Centals) ... ... ... | 382,220 | 2,090,750 | 574,418 | 3,486,565 | 784,153 | 4,685,992 | 723,438 | 3,051,791 | 526,910 | 1,690,837 |
| Cotton Seed (Tons) ... ... | 9,818 | 54,777 | 21,093 | 106,280 | 21,927 | 122,791 | 35,360 | 194,887 | 29,502 | 170,303 |
| Simsim (Tons) ... ... ... | 1,724 | 29,999 | 740 | 15,602 | — | — | — | — | 718 | 13,733 |
| Hides and Skins ... ... ... | — | 34,498 | — | 38,548 | — | 33,808 | — | 32,532 | — | 103,647 |
| Totals ... ... ... | | 2,382,654 | | 3,850,190 | | 4,985,545 | | 3,428,809 | | 2,153,287 |
| | | | | (*b*) PRODUCED MAINLY BY EUROPEANS AND INDIANS. | | | | | | |
| Rubber (Centals)... ... ... | 4,375 | 11,011 | 6,083 | 18,911 | 8,061 | 68,705 | 13,561 | 135,619 | 14,463 | 82,076 |
| | | | | (*c*) MISCELLANEOUS MINOR ITEMS. | | | | | | |
| Miscellaneous ... ... ... | | 37,812 | | 28,294 | | 42,965 | | 31,617 | | 74,937 |
| Total exports, excluding re-exports, Government stores and specie. | | 2,431,477 | | 3,897,395 | | 5,097,215 | | 3,596,045 | | 2,310,300 |

| | 1923. | | 1924. | | 1925. | | 1926. | | 1927. | |
|---|---|---|---|---|---|---|---|---|---|---|
| | Quantity. | Value. | Quantity. | Value. | Quantity. | Value. | Quantity. | Value. | Quantity. | Value. |
| **(a) Produced mainly by Natives.** | | | | | | | | | | |
| | | £ | | £ | | £ | | £ | | £ |
| Millet (Cwt.) ... ... ... | 121,973 | 36,095 | 158,332 | 49,976 | 66,531 | 25,517 | 58,125 | 24,094 | 72,268 | 29,164 |
| Rice (Cwt.) ... ... ... | 57,721 | 41,517 | 62,235 | 59,866 | 60,921 | 62,232 | 65,295 | 57,564 | 78,820 | 72,253 |
| Ghee (Cwt.) ... ... ... | 7,892 | 17,418 | 9,439 | 25,589 | 7,658 | 33,770 | 7,428 | 32,577 | 7,912 | 30,015 |
| Cotton (Centals) ... ... ... | 32,912 | 177,710 | 56,927 | 373,753 | 100,848 | 540,481 | 109,450 | 427,437 | 88,272 | 361,916 |
| Cotton Seed (Tons) ... ... | 980 | 3,656 | 1,595 | 7,187 | 4,349 | 32,560 | 5,295 | 22,185 | 4,566 | 18,440 |
| Groundnuts (Tons) ... ... | 16,508 | 264,129 | 18,684 | 359,918 | 9,055 | 178,685 | 15,867 | 254,903 | 14,147 | 238,082 |
| Simsim (Tons) ... ... ... | 4,435 | 75,527 | 3,909 | 80,324 | 3,396 | 71,561 | 3,563 | 68,585 | 3,733 | 74,017 |
| Beeswax (Cwt.) ... ... ... | 6,039 | 24,758 | 8,497 | 44,666 | 5,858 | 42,755 | 6,147 | 48,179 | 11,169 | 80,863 |
| Hides and Skins (Cwt.) ... ... | 41,400 | 117,931 | 51,050 | 187,384 | 53,523 | 243,205 | 42,175 | 166,553 | 55,802 | 240,863 |
| Totals ... ... ... | | 758,741 | | 1,188,663 | | 1,230,766 | | 1,102,077 | | 1,145,613 |
| **(b) Produced mainly by Europeans.** | | | | | | | | | | |
| Sisal (Tons) ... ... ... | 12,845 | 367,228 | 18,428 | 644,835 | 18,276 | 688,451 | 25,022 | 911,293 | 33,012 | 1,160,735 |
| Copra* (Tons) ... ... ... | 6,669 | 131,536 | 8,125 | 178,194 | 7,623 | 160,800 | 7,348 | 152,228 | 7,267 | 143,024 |
| Rubber (Tons) ... ... ... | 2,264 | 5,448 | 1,771 | 5,462 | 9,752 | 59,801 | 9,245 | 48,917 | 2,819 | 10,915 |
| Gold (Oz.) ... ... ... ... | 1,319 | 5,937 | 7,577 | 30,349 | 10,614 | 42,506 | 8,049 | 31,290 | 9,548 | 36,203 |
| Mica (Tons) ... ... ... | 32 | 19,172 | 57 | 27,638 | 52 | 31,532 | 53 | 26,592 | 35 | 16,994 |
| Totals ... ... ... | | 529,321 | | 886,478 | | 983,090 | | 1,170,320 | | 1,367,871 |
| **(c) Produced by Natives and Europeans.** | | | | | | | | | | |
| Coffee (Cwt.) ... ... ... | 80,937 | 204,987 | 105,222 | 352,529 | 120,186 | 481,055 | 130,793 | 495,199 | 131,899 | 463,420 |
| Tobacco (lb.) ... ... ... | 15,557 | 421 | 65,614 | 1,477 | 108,025 | 3,077 | 165,685 | 3,827 | 107,963 | 3,572 |
| Totals ... ... ... | | 205,408 | | 354,006 | | 484,132 | | 499,026 | | 466,992 |
| **(d) Miscellaneous Minor Items.** | | | | | | | | | | |
| Miscellaneous ... ... ... | | 164,131 | | 182,156 | | 203,327 | | 254,555 | | 314,985 |
| Total Exports, excluding Re-exports, but including Gold Bullion. | | 1,657,601 | | 2,611,303 | | 2,901,315 | | 3,025,978 | | 3,295,461 |

* Much of the Copra is produced by Indians and Arabs.

## Zanzibar.*

| | 1923. | | 1924. | | 1925. | | 1926. | | 1927. | |
|---|---|---|---|---|---|---|---|---|---|---|
| | *Quantity.* | *Value.* | *Quantity.* | *Value.* | *Quantity.* | *Value.* | *Quantity.* | *Value.* | *Quantity.* | *Value.* |
| | | Rupees. | | Rupees. | | Rupees. | | Rupees. | | Rupees. |
| Cloves and Clove Stems (Cwt.)... | 252,169 | 16,906,000 | 193,840 | 12,636,000 | 260,651 | 14,028,000 | 197,975 | 9,216,000 | 308,662 | 11,546,000 |
| Copra (Cwt.) ... ... ... | 185,243 | 3,352,000 | 203,502 | 3,564,000 | 244,265 | 4,053,000 | 255,803 | 4,217,000 | 200,827 | 3,227,000 |
| Soap (Cwt.) ... ... ... | 17,611 | 513,000 | 20,216 | 510,000 | 6,607 | 162,000 | 3,196 | 73,000 | 1,879 | 44,000 |
| Tobacco (Cwt.) ... ... ... | 94,336 | 22,000 | 52,125 | 11,000 | 85,908 | 20,000 | 52,879 | 23,000 | 52,461 | 46,000 |
| Miscellaneous ... ... ... | | 284,000 | | 307,000 | | 273,000 | | 262,000 | | 365,000 |
| Total exports of Domestic Produce. | | 21,077,000 | | 17,028,000 | | 18,536,000 | | 13,791,000 | | 15,228,000 |

* Production in Zanzibar is mainly by Arabs and Indians.

## Nyasaland.

| | 1923. | | 1924. | | 1925. | | 1926. | | 1927. | |
|---|---|---|---|---|---|---|---|---|---|---|
| | *Quantity.* | *Value.* | *Quantity.* | *Value.* | *Quantity.* | *Value.* | *Quantity.* | *Value.* | *Quantity.* | *Value.* |
| | | | | (*a*) PRODUCED MAINLY BY NATIVES. | | | | | | |
| | | £ | | £ | | £ | | £ | | £ |
| Beeswax (lb.) ... ... ... | 10,113 | 228 | 15,664 | 391 | 18,390 | 460 | 30,659 | 1,035 | 24,170 | 1,208 |
| Groundnuts (Tons.) ... ... | 2 | 16 | 16 | 122 | 108 | 958 | — | — | 69 | 833 |
| Totals ... ... | | 244 | | 513 | | 1,418 | | 1,035 | | 2,041 |
| | | | | (*b*) PRODUCED MAINLY BY EUROPEANS. | | | | | | |
| Coffee (Cwt.) ... ... ... | 823 | 2,305 | 422 | 1,768 | 182 | 768 | 508 | 2,174 | 321 | 1,203 |
| Fibres (Tons.) ... ... ... | 748 | 15,425 | 798 | 18,015 | 785 | 19,388 | 529 | 16,799 | 801 | 24,428 |
| Rubber (Centals.) ... ... | 1,271 | 3,813 | 1,739 | 6,647 | 1,603 | 8,542 | 1,363 | 10,364 | 2,049 | 13,049 |
| Tea (Cwt.) ... ... ... | 8,601 | 39,934 | 9,451 | 57,046 | 10,319 | 64,242 | 10,557 | 62,675 | 10,447 | 56,640 |
| Totals ... ... | | 61,477 | | 83,476 | | 92,940 | | 92,012 | | 95,320 |
| | | | | (*c*) PRODUCED BY NATIVES AND EUROPEANS. | | | | | | |
| Cotton (Centals.)... ... ... | 21,825 | 85,649 | 22,293 | 120,564 | 22,918 | 96,245 | 30,850 | 93,243 | 18,502 | 45,834 |
| Tobacco (Tons.) ... ... ... | 2,303 | 257,998 | 3,144 | 352,348 | 3,088 | 345,872 | 4,081 | 457,122 | 6,905* | 780,964 |
| Totals ... ... | | 343,647 | | 472,912 | | 442,117 | | 550,365 | | 826,798 |
| | | | | (*d*) MISCELLANEOUS MINOR ITEMS. | | | | | | |
| Miscellaneous ... ... ... | | 4,565 | | 7,106 | | 6,013 | | 3,162 | | 5,387 |
| Total exports, excluding re-exports, Government stores and specie. | | 409,933 | | 564,007 | | 542,488 | | 646,574 | | 929,546 |

* Of which 3,484 tons was produced by natives.

## Northern Rhodesia.*

| | 1923. | | 1924. | | 1925. | | 1926. | | 1927. | |
|---|---|---|---|---|---|---|---|---|---|---|
| | *Quantity.* | *Value.* | *Quantity.* | *Value.* | *Quantity.* | *Value.* | *Quantity.* | *Value.* | *Quantity.* | *Value.* |
| | | £ | | £ | | £ | | £ | | £ |
| Cattle for Slaughter (No.) ... | 12,266 | 46,911 | 12,081 | 51,661 | 9,917 | 46,681 | 8,635 | 46,085 | 5,927 | 32,937 |
| Hides and Skins ... ... ... | — | 12,017 | — | 9,405 | — | 13,040 | — | 14,524 | — | 21,561 |
| Maize (lb.) ... ... ... | 12,337,606 | 31,018 | 7,996,750 | 27,914 | 9,033,120 | 29,513 | 9,845,004 | 31,246 | 15,858,531 | 52,843 |
| Maize Meal (lb.) ... ... ... | 884,018 | 3,545 | 4,705,120 | 22,169 | 2,082,085 | 9,461 | 2,697,179 | 10,566 | 5,042,264 | 18,437 |
| Tobacco (unmanufactured) (lb.) | 973,802 | 62,643 | 459,219 | 90,788 | 1,444,420 | 99,122 | 2,052,682 | 155,832 | 3,302,025 | 240,568 |
| Cotton, Raw (Centals) ... ... | 207 | 898 | 2,064 | 9,327 | 1,186 | 6,276 | 1,780 | 4,746 | — | — |
| Copper, ore and concentrates (Tons of 2,000 lb.) | — | — | 3,126 | 1,605 | 87 | 1,000 | — | — | — | — |
| Lead, ore and concentrates (Tons of 2,000 lb.) | — | — | 3,766 | 3,766 | 89 | 663 | — | — | — | — |
| Vanadium (Tons of 2,000 lb.) ... | — | — | 985 | 29,452 | 1,176 | 35,350 | 225 | 4,498 | 288 | 6,749 |
| Copper, bar and ingot (Centals) | 3,660 | 11,802 | 2,426 | 7,253 | — | — | 14,654 | 23,560 | 74,851 | 133,115 |
| Lead, pig and ingot (Centals) ... | 249,875 | 190,045 | 138,112 | 104,858 | 81,652 | 66,442 | 57,711 | 43,284 | 111,244 | 88,652 |
| Wood, Cane, etc. (Cubic ft.) ... | 45,136 | 9,867 | 48,102 | 9,371 | 64,794 | 11,477 | 56,153 | 12,217 | 155,536 | 8,993 |
| Totals ... ... ... | | 368,746 | | 367,569 | | 319,025 | | 346,558 | | 603,855 |
| Miscellaneous minor items ... | | 93,039 | | 38,989 | | 78,710 | | 95,856 | | 63,460 |
| Total exports, excluding specie and re-exports. | | 461,785† | | 406,558 | | 397,735 | | 442,414 | | 667,315 |

* There is practically no native production for export in Northern Rhodesia.
† Includes re-exports of imported goods—approximately £50,000.

## APPENDIX VII.

## NATIVE ADMINISTRATION: FINANCIAL STATISTICS.

### *TABLE 1.*

### Summary of Revenues of Native Administrations and amounts of Hut and Poll Tax.

(*For details see Table 3.*)

| — | *Collected by Central Government from Hut and Poll Tax.* | *Transferred by Central Government to Native Administration.* | | *Collected by Native Administration.* | *Total Revenues of Native Administration.* |
|---|---|---|---|---|---|
| | | *From Hut and Poll Tax.* | *From other sources.* | | |
| | £ | £ | £ | £ | £ |
| Uganda... ... (1927) | 501,960 | 152,366 | 650 | 129,618 | 282,634 |
| Kenya ... ... (1927) | 541,505 | (*a*) | 16,586 | 19,434 | 36,020 |
| Tanganyika ... (1927-28) ... | 699,552 | 126,207 | — | 18,707 | 144,914 |
| Nyasaland ... (1927) | 127,847 | (*a*) | — | — | — |
| Northern Rhodesia (1927-28) | 120,815 | (*a*) Also £6,300 to Barotse Trust Fund | — | 750(*b*) | 7,050 (Barotse Trust Fund). |

(*a*) Central Government pays Chiefs and Headmen.
(*b*) Accruing to Barotse Trust Fund from rents, interest, proceeds of school workshops, etc.

### *TABLE 2.*

### Summary of Expenditure of Native Administrations.

(*For details see Table 3.*)

| — | *Uganda. (1927).* | *Kenya. (1927).* | *Tanganyika. (1927-28).* | *Barotse Trust Fund, Northern Rhodesia. (1927-28).* |
|---|---|---|---|---|
| | £ | £ | £ | £ |
| General administration, payment of Chiefs, etc. | 192,657 | 2,033* | 103,214 | 4,000 |
| Education ... ... ... | 12,595 | 3,915 | — | 3,317 |
| Medical ... ... ... | 11,761 | 2,236 | — | — |
| Forests ... ... ... | 621 | 3,362 | — | — |
| Veterinary ... ... | 2,218 | — | — | — |
| Agriculture ... ... | 2,254 | 953 | — | 1,537 |
| Other expenditure, Public Works Department, etc. | 70,277 | 19,683 | — | — |
| Other Charges ... ... | — | — | 27,143 | — |
| Extraordinary Expenditure | — | — | 25,397 | — |
| Totals ... ... | £292,383 | £32,182 | £155,754 | £8,854 |

* Central Government pays Chiefs and Headmen.

*TABLE 3.*

## Details of Revenue and Expenditure.

### (a) UGANDA.

REVENUE OF NATIVE ADMINISTRATION :

I. *Direct Collections :*

| Item. | £ | shs. | £ | shs |
|---|---|---|---|---|
| 1. Court Fees and Fines ... ... ... | 32,646 | 0 | | |
| 2. Market Dues ... ... ... ... | 6,857 | 0 | | |
| 3. Land Registration Fees ... ... ... | 675 | 0 | | |
| 4. Confirmation of Chieftainship Fees ... | 75 | 0 | | |
| 5. Liquor Permits ... ... ... ... | 3,800 | 0 | | |
| 6. Administration Fines ... ... ... | 5 | 0 | | |
| 7. Sales of Native Government Publications | 15 | 0 | | |
| 8. Luwalo (Labour) Commutation Fees ... | 49,526 | 0 | | |
| 9. Part Revenue Koja Stock Farm ... ... | 310 | 0 | | |
| 10. Development Tax ... ... ... ... | 15,000 | 0 | | |
| 11. Mailo (Estates) Certificates Advances, Refund of. | 1,500 | 0 | | |
| 12. Rent from Government for land at Mulago | 38 | 0 | | |
| 13. Shops ... ... ... ... ... | 100 | 0 | | |
| 14. Ferries ... ... ... ... ... | 1,585 | 0 | | |
| 15 Miscellaneous Receipts ... ... ... | 1,041 | 0 | | |
| 16. Interest on Fixed Deposit ... ... ... | 3,986 | 16 | | |
| 17. Interest on War Loan ... ... ... | 124 | 0 | | |
| 18. Marriage Fees ... ... ... ... | 275 | 0 | | |
| 19. Native Trading Permits ... ... ... | 50 | 0 | | |
| 20. Sales from Native Administration Plantations. | 415 | 0 | | |
| 21. Tribute ... ... ... ... ... | 7,750 | 0 | | |
| 22. Percentage on Government Ivory ... | 325 | 0 | | |
| 23. Salt Revenue ... ... ... ... | 3,520 | 0 | | |
| Total direct collections ... ... ... | | | 129,618 | 16 |
| II. *Transferred by Central Government :* | | | | |
| (*a*) Share of Poll Tax (Rebate) ... ... | 152,366 | 0 | | |
| (*b*) Other sums ... ... ... ... | 650 | 0 | | |
| | | | 153,016 | 0 |
| Total Revenue of Native Administration | | | £282,634 | 16 |

EXPENDITURE :

I. *General Administration :*

| | | | | |
|---|---|---|---|---|
| 1. Kabaka, Ministers' and Chiefs' Salaries ... | 123,364 | 0 | | |
| 2. Pensions, Gratuities, Allowances ... ... | 21,537 | 5 | | |
| 3. Clerical Staff ... ... ... ... | 30,402 | 0 | | |
| 4. Police and Prisons Staff ... ... ... | 13,104 | 12 | | |
| 5. Ceremonial Staff ... ... ... ... | 350 | 0 | | |
| 6. Roads, Maintenance ... ... ... | 2,781 | 8 | | |
| 7. Transport Staff ... ... ... ... | 438 | 0 | | |
| 8. Ferry-Paddlers ... ... ... ... | 205 | 4 | | |
| 9. Salt Industry Staff ... ... ... ... | 475 | 0 | | |
| | | | 192,657 | 9 |

II. *Other Expenditure :*

| | | | | |
|---|---|---|---|---|
| 1. Education ... ... ... ... ... | 12,595 | 0 | | |
| 2. Medical ... ... ... ... ... | 11,761 | 0 | | |
| 3. Forests ... ... ... ... ... | 621 | 8 | | |
| 4. Veterinary ... ... ... ... ... | 2,218 | 0 | | |
| 5. Agriculture ... ... ... ... ... | 2,254 | 0 | | |
| | | | 29,449 | 8 |
| Total of all expenditure of Native Administration | | | £292,383 | 17 |

## (b) KENYA.

A. REVENUE OF NATIVE ADMINISTRATION—

I. *Direct collections :*

| Nature of tax : | £ |
|---|---|
| (a) Rate ... ... ... ... ... ... ... | 19,434 |
| Total Direct Collections ... ... | 19,434 |

II. *Transferred by Central Government :*

| | |
|---|---|
| (a) Share of Poll Tax ... ... ... ... ... | Nil. |
| (b) Other sums— | |
| (i) Rents of Land... ... ... ... ... | 11,972 |
| (ii) Forest Revenue ... ... ... ... | 2,902 |
| (iii) Miscellaneous ... ... ... ... ... | 1,712 |
| Total Revenue of Native Administration | £36.020 |

B. EXPENDITURE—

I. *General Administrative—*

| | |
|---|---|
| (a) Salaries of Chiefs ... ... ... ... | Paid by Central Government. |
| (b) Clerical Staff ... ... ... ... ... ... (Includes honoraria voted to District Clerks, whose salaries are paid by Central Government.) | 2,033 |
| Total General Administrative ... | 2,033 |

II. *Other Expenditure—*

| | |
|---|---|
| (a) Education ... ... ... ... ... ... | 3,915 |
| (b) Medical ... ... ... ... ... ... ... | 2,236 |
| (c) Afforestation ... ... ... ... ... ... | 3,362 |
| (d) Agriculture and Veterinary ... ... ... ... | 953 |
| (e) Roads and Bridges ... ... ... ... ... | 3,700 |
| (f) Fixed Deposits ... ... ... ... ... ... | 9,300 |
| (g) Miscellaneous ... ... ... ... ... ... | 6,683 |
| Total of all Expenditure of Native Administration | £32,182 |

## (c) TANGANYIKA.

### NATIVE TREASURY* ESTIMATES 1927–28.

### TOTALS FOR PROVINCES.

| Province. | Estimated Hut and Poll Tax Collections 1927–28. | Estimated Revenue of Native Treasuries, 1927–28. | | | Estimated Expenditure of Native Treasuries, 1927–28. | | | |
|---|---|---|---|---|---|---|---|---|
| | | Balances from 1926–27. | Share of Native Treasuries in Hut and Poll Tax Collections. | Other Revenue (Court fees etc.). | Personal Emoluments. | Other Charges. | Extra-ordinary. | Balance to 1928–29. |
| | £ s. d. | £ s. d. | £ s. d. | £ s. d. | £ s. d. | £ s. d. | £ s. d. | £ s. d. |
| Mahenge ... | 16,800 0 0 | 2,595 3 0 | 3,337 15 0 | 370 0 0 | 2,468 13 0 | 846 0 0 | 511 0 0 | 2,477 5 0 |
| Kigoma ... | 19,000 0 0 | 1,106 0 0 | 4,452 10 0 | 889 0 0 | 3,581 14 0 | 761 15 0 | 869 0 0 | 1,235 1 0 |
| Bukoba ... | 51,700 0 0 | 4,930 15 0 | 18,647 0 0 | 4,578 0 0 | 19,559 13 0 | 3,131 17 0 | 2,990 0 0 | 2,474 5 0 |
| Tanga ... | 60,800 0 0 | 1,326 0 0 | 5,860 0 0 | 889 12 0 | 4,406 3 0 | 1,421 14 0 | 452 10 0 | 1,795 5 0 |
| Tabora ... | 111,710 0 0 | 8,422 13 0 | 27,920 1 0 | 2,997 9 0 | 22,349 8 0 | 6,377 19 0 | 4,678 5 0 | 5,934 11 0 |
| Central ... | 79,350 0 0 | 3,467 2 0 | 7,840 0 0 | 1,080 10 0 | 6,575 0 0 | 1,611 15 0 | 1,412 10 0 | 2,788 7 0 |
| Northern ... | 51,942 0 0 | 2,166 3 0 | 6,479 0 0 | 1,474 2 0 | 5,765 12 0 | 787 9 0 | 1,822 17 0 | 1,743 7 0 |
| Iringa ... | 34,750 0 0 | 3,714 10 0 | 6,665 18 0 | 1,897 10 0 | 4,769 2 0 | 2,211 0 0 | 978 6 0 | 4,319 10 0 |
| Eastern ... | 76,800 0 0 | 1,746 11 0 | 6,589 0 0 | 1,514 7 0 | 5,488 0 0 | 1,424 0 0 | 649 12 0 | 2,288 6 0 |
| Mwanza ... | 129,750 0 0 | 18,425 16 0 | 32,337 2 0 | 2,763 15 0 | 23,923 0 0 | 7,991 6 0 | 10,790 10 0 | 10,821 17 0 |
| Lindi... ... | 66,950 0 0 | —— | 6,079 6 0 | 253 0 0 | 4,328 8 0 | 578 15 0 | 242 10 0 | 1,182 13 0 |
| Totals ... | £699,552 0 0 | £47,800 13 0 | £126,207 12 0 | £18,707 5 0 | £103,214 13 0 | £27,143 10 0 | £25,397 0 0 | £37,060 7 0 |

* For specimen of detailed Native Treasury Estimate, *see* next page.

## Specimen Native Treasury Budget for 1928-29.

*Bukoba Native Treasury.*

| Revenue— | £ |
|---|---|
| Rebate | 15,670 |
| Courts | 4,000 |
| Marriage fees | 110 |
| Market fees | 1,200 |
| Ferry fees | 300 |
| Land allocation | 20 |
| Veterinary Tank fees | 25 |
| Spraying fees | 25 |
| Interest on £5,000 deposit | 150 |
| | 21,500 |
| Balance from previous year | 6,800 |
| | £28,300 |

| Expenditure— | £ |
|---|---|
| Salaries to 8 Chiefs | 7,433 |
| Commutation | 1,284 |
| 54 Sub-Chiefs | 1,974 |
| 626 Headmen | 1,399 |
| Staff of Chiefs' Council | 378 |
| Clerical staff | 2,057 |
| Tribal Police | 1,053 |
| N.A. Workshop staff | 300 |
| 1 Asiatic Surgeon | 330 |
| 12 Tribal Dressers | 216 |
| Lorry Driver | 36 |
| Ferrymen and Clerks | 110 |
| Agricultural staff | 303 |
| 1 Headman<br>16 Sprayers<br>10 Labourers | Nil |
| Chiefs' Deputies | 240 |
| Messengers | 43 |
| Total Personal Emoluments | £17,156 |

| *Other Charges*— | £ |
|---|---|
| Transport and Travelling | 300 |
| Maintenance Lepers and Destitutes | 208 |
| Agriculture | 150 |
| Forests | 150 |
| Upkeep Buildings | 450 |
| Upkeep Dispensaries | 325 |
| Maintenance Roads | 450 |
| Education | 250 |
| Dipping Tanks Maintenance | 95 |
| Vermin Destruction | 100 |
| Office and School Furniture | 150 |
| Stationery | 180 |
| Sundry other charges | 190 |
| Total Other Charges | £2,998 |

## APPENDIX VIII.

## EXTRACT FROM THE SUMMARY OF PROCEEDINGS OF THE CONFERENCE OF THE GOVERNORS OF THE EAST AFRICAN DEPENDENCIES, 1926.

### Land and Labour Policy.

(A) The adoption of a definite Land and Labour Policy was considered to be one of the most important items before the Conference. There was general agreement that a definite policy was essential; and, further, that the Government should make it clear that when a policy had been accepted it was the intention of the Government that it should be acted upon. The issue of instructions of an equivocal nature to district officers, as had happened sometimes in the past, had been harmful; in such circumstances each district officer interpreted his instructions in his own way, policy varied from district to district, and neither native, settler nor the district officer knew the real intention of the Government. The whole question of Land and Labour Policy was examined in great detail, and eventually a Memorandum was drawn up, which was accepted by the Conference as the basis of Land and Labour Policy in the East African Dependencies. This Memorandum reads as follows:—

LAND AND LABOUR POLICY IN THE EAST AFRICAN TERRITORIES.

East Africa has two remarkable features which differentiate it greatly from British West Africa and from most of the Empire's other tropical possessions. In the first place, the population is very sparse by comparison with the extent of the territory and its potentialities. In the second place, large areas are by reason of their altitude suited climatically for European colonization.

It is generally admitted that European control in some form is necessary to the welfare and development of the African peoples. In no other way can peace be secured, improper exploitation prevented, and the country developed to anything like its full producing capacity. Where the population is sufficiently numerous, the development can be carried on under European administration and the produce marketed by European merchants. This is the natural course of affairs in West Africa. But in East Africa the population is not sufficient to secure development in the same manner; and if the whole country were to be handed over to a policy of native production alone under the guidance of European administration, it would have to be constituted an economic sanctuary so as to prevent the economic needs of the outside world from forcing some other form of development upon it. For these reasons East Africa has already been committed to what is known as the dual policy —that is, to a combination of non-native and native production.

The broad contrast presented by natural conditions in different parts of East Africa is illustrated by the difference between Kenya and Uganda. In Uganda the population is sufficient for native production on a very large scale and the climate is also unsuitable for European colonization. Uganda is, therefore, developing broadly on the same lines as West Africa. In the Highlands of Kenya, on the other hand, the native population is totally insufficient and unfitted to develop the country. Its present scale of production would, therefore, have been impossible unless the railway had been built across the Highlands and had brought in its train several thousand European colonists. The contrast presented by Kenya and Uganda in this respect may also be seen

on a small scale within the territory of Kenya alone. It is also to be studied in Tanganyika.

The dual policy, however, raises considerable problems of its own. On the one hand, there is the obligation which rests on every civilized Government of raising the capacities of its human subjects to their fullest expression; on the other, there is the equally imperative duty of developing to the utmost the productive power of its possessions. This latter duty cannot be performed under any system which sacrifices the native human being to foreign exploitation of the soil. It is not possible to allocate to each area the quota of human labour required for complete commercial success. The whole problem is to arrive at a just and far-seeing method of harmonising the best progress and welfare of the native inhabitants with the maximum of production.

In solving this problem East Africa has one special advantage. There are examples elsewhere of the difficulties created by a disinterested and high-minded officialism, which gives a country good government without providing adequately for its economic development. In East Africa this danger may be avoided by the fact that native and European populations are growing up side by side, with an increasing knowledge and understanding of each other's requirements. Given good government, there is room in East Africa for many times its present population. There is a great opportunity of providing for its economic development without improper exploitation on the one hand or unwise indifference to economic pressure on the other. There are, too, a soil and climate which may easily produce enough to give the raw material, and the markets necessary, to relieve and raise some part of the unemployed millions which constitute Europe's greatest problem.

The essential is to have a clear policy in regard to two factors—Land and Labour.

LAND.—The Land of East Africa may be divided into certain broad categories:—

(*a*) First, there are those lands which, as jungle or forest or desert or swamp, or because of the inroads of human and animal disease or for other causes, were indubitably unoccupied and unclaimed at the time when our Government was established.

(*b*) Secondly, there are those lands to which there was only a doubtful claim, the "lands of the spear," where the cattle of hostile tribes grazed under warrior guard whenever grazing was scarce at home.

(*c*) Thirdly, there are the lands effectively occupied by a large and settled native population.

This third category of land should clearly be reserved to its original native owners. In the other two, sufficient land for their own use should be secured to the native tribes originally sprinkled or wandering over it, but the rest is clearly the property of our Government, to develop in the manner which it considers most suitable and effective.

The following conclusions emerge therefore as to the right method of dealing with land:—

(1) Wherever a native population exists, sufficient land should be secured to it to afford full opportunity for economic stock breeding and dairying, or for the production of crops according as the tribal bent is for pastoral or agricultural pursuits.

(2) European colonization should be encouraged wherever the climate is suitable and adequate areas are available for settlement, without depriving the existing native population of sufficient land for its own use.

(3) The area of land reserved for a native tribe should be sufficient to accommodate the whole tribe together, so that where a tribal organisation exists it may be preserved and improved; and that where none exists, some orm of native institutions may be gradually developed.*

(**NOTE.—The Governor of Tanganyika accepts these conclusions, subject to the following reservations*—(A) *The land policy of the Territory as defined in the Land Ordinance whereunder the land is vested in the Governor for the use and common benefit, direct or indirect, of the natives, to remain unimpaired in every respect;* (B) *The Government of Tanganyika does not commit itself to the policy of Native Reserves, to which it is opposed.*)

LABOUR.—The following principles in regard to labour arise out of the foregoing conclusions as to land:—

(1) The ideal in view should be to enable land to be put to the best possible economic use, while also providing for the steady progress and welfare of its native inhabitants, and safeguarding them against serfdom in any form whatever.

(2) Steady progress cannot be secured in some areas unless every able-bodied native who shows no tendency to work is given to understand that the Government expects him to do a reasonable amount of work, either in production in his own Reserve or in labour for wages outside it.

(3) In areas where the first alternative is not within his reach, the native should be definitely encouraged to go out to labour. In others, where both alternatives are open to him, the Government is not concerned to impose either upon him, but simply to ensure so far as it can that he shall work in the cultivation of his own land, if he pleases, or else as a wage-earner on alienated land, if he prefers it. In all areas where these two alternatives exist, the natural play of human preference and economic impulse should be allowed to take its course, so that the native may choose to work in whichever way pleases and pays him best.

(4) While communications are undeveloped and distribution therefore difficult, it is essential that the native should be instructed to grow sufficient foodstuffs for his own livelihood. Otherwise, provided risk of famine be avoided, the natural play of economic forces should be allowed to decide the choice of crops.

(5) In establishing markets for produce, it is desirable that the process of production should be regulated so as to secure the most efficient methods and the highest possible standard of product. These considerations necessitate some regulation of methods of production and the standardisation of products by grading. If these principles be accepted, they will indicate what restrictions may be necessary in the growth of certain crops by natives. There is no case for prohibiting a native, just because he is a native, from growing any economic crop; but there is a very strong case for debarring from production any inefficient producer who endangers other producers, whatever his race. There is little doubt that for many years to come the majority of natives will be unable to grow certain crops with safety and efficiency, but there are many others which they are well fitted to grow.

(6) In areas open to settlement, Government should encourage the growth of those crops for which the least labour is required, and should, where necessary, regulate the growth of those which make heavy demands on labour for a short period in the year.

(7) It is by no means certain that the native will prove capable of making adequate economic use of all the land secured to him, but there is no reason on that account why any attempt should be made in the future to take the land from him. It is, indeed, evident that in most cases the native is alive to considerations of economic advantage, and that his rudimentary ideas of the nature of wealth are changing. He

is not likely to be content for ever with owning undeveloped land or with the mere multiplication of herds of cattle, when he sees the profit that can be made in neighbouring areas from the skilled cultivation of land and from economic animal husbandry. He will always be free to choose whether he develops his land himself or brings in the aid of European knowledge and skill to develop it; and in many cases he will probably prefer to lease his land for cultivation by others rather than to take the risk and trouble involved in organising its cultivation himself. There is no reason why Government should limit his freedom or choice, provided only that the land is leased on fair terms and that adequate rents are secured for its native owners.

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Further discussion took place as to whether a general code of instructions, based on the Memorandum on Land and Labour Policy, could be prepared, which would be suitable for use by district officers throughout the East African Dependencies. It was considered that this was not possible, and that each territory must issue instructions suitable to the special conditions of that territory.

The Conference agreed to recommend to the Secretary of State:—

(1) That no single circular Memorandum on Labour Policy could be prepared for the use of district officers which would be suitable for application in all the East African Dependencies.

(2) That the Memorandum on Land and Labour Policy in East African territories, which had already been approved, should form the basis of Land and Labour Policy in the East African territories, and that each territory should issue for the use of its officers such instructions based on this as were necessary to meet the special conditions of each territory.

*(Sir Herbert Stanley, however, in respect of the leasing of native lands to Europeans, added a reservation with regard to Native Reserves in Northern Rhodesia and the Barotse District.)*

(3) That since the conditions in Kenya and Tanganyika approximated closely to each other, the Governors of these two territories should consult together before the issue of any special instructions on Land and Labour Policy to their Administrative Officers.

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## APPENDIX IX.

## STATISTICS OF THE KENYA AND UGANDA RAILWAYS AND HARBOURS AND THE TANGANYIKA RAILWAYS AND MARINE.

### Kenya and Uganda Railways and Harbours.

The system at the end of December, 1927, comprised 1,204 miles of open lines of metre gauge, with a total track mileage, including loops and sidings, of 1,357 miles.

The Lake Services covered a route mileage of 3,243 miles, and included the ports on Lakes Victoria, Kioga, and Albert.

Road motor services covered 75 miles, between Lakes Kioga and Albert.

The ports and harbours on the sea coast were also brought under the Railway Administration during the year.

| | |
|---|---|
| Total train mileage ... ... ... ... ... ... | 3,152,983 |
| Total tonnage carried ... ... ... ... ... | 1,294,166 |
| Ratio percentage of working expenditure to earnings ... | 54·13 |
| Gross earnings (railways and harbours) ... ... ... | £2,257,403 |
| Ordinary working expenditure (railways and harbours) | £1,219,473 |
| *Lake Services :* Total earnings ... ... ... ... | £243,000 |
| Tonnage carried ... ... ... ... | 168,094 |
| *Road Service :* Tonnage carried ... ... ... ... | 7,469 |

CAPITAL ACCOUNT AS AT 31st DECEMBER, 1927, RAILWAYS AND HARBOURS.

RECEIPTS.

| | *Total to 31st December, 1926.* | *Year ended 31st December, 1927.* | *Total to 31st December, 1927.* |
|---|---|---|---|
| *Non-Interest-Bearing Capital :—* | £ | £ | £ |
| Parliamentary Grants, Uganda Railway Acts, 1896 and 1902 | 5,686,437 | — | 5,686,437 |
| Contributions from Revenue— | | | |
| Direct ... ... ... ... ... | 574,760 | 38,818 | 613,578 |
| Transfers from Betterment Funds ... | 628,492 | 111,788 | 740,281 |
| *Interest-Bearing Capital :—* | | | |
| Loans and Advances, Kenya Colony and Protectorate. | 7,260,410 | 2,563,613 | 9,824,023 |
| Loans Uganda Protectorate ... ... | 375,568 | — | 375,568 |
| | 14,525,667 | 2,714,219 | 17,239,886 |

## Revenue Account, Year Ended 31st December, 1927.

### Railways.

| *Expenditure.* To— | £ | *Receipts.* By— | £ |
|---|---|---|---|
| Maintenance of Way and Works ... ... ... | 178,769 | Passengers ... ... ... | 266,326 |
| Transportation Expenses ... | 523,337 | Parcels and Luggage ... | 49,404 |
| Maintenance of Engines and Rolling Stock ... ... | 181,085 | Live Stock ... ... ... | 13,396 |
| General Charges ... ... | 94,093 | Goods ... ... ... | 1,737,852 |
| Steamer Services ... ... | 112,833 | Telegraphs ... ... ... | 1,791 |
| Motor Services ... ... | 14,685 | Miscellaneous ... ... | 57,274 |
| Miscellaneous Expenditure. | 45,984 | | |
| Total Ordinary Working Expenditure. ... ... | 1,150,786 | | |
| Depreciation ... ... | 263,433 | | |
| Total Expenditure ... | 1,414,219 | | |
| Balance Net Earnings ... | 711,824 | | |
| Total ... ... | £2,126,043 | | £2,126,043 |

### Harbours.

| *Expenditure.* To— | £ | *Receipts.* By— | £ |
|---|---|---|---|
| Docks, Harbours, Jetties, Wharves, Quays ... ... | 8,948 | Deep Water Berths— | |
| Berthing, supervision, etc., of shipping ... ... | 9,032 | Imports ... ... ... | 46,784 |
| Water ... ... ... | 136 | Exports ... ... ... | 15,921 |
| Tugs, Launches, and Lighters ... ... ... | 7,538 | Lightered Traffic— | |
| Cranes and Mechanical appliances ... ... | 12,106 | Imports ... ... ... | 16,479 |
| Ballast ... ... ... | — | Exports ... ... ... | 5,709 |
| Dry Docks and Slips ... | — | Port Dues, Pilotage, Licences, Ferries, etc., ... | 33,228 |
| Railway working ... ... | 20,915 | Miscellaneous ... ... | 13,239 |
| General Charges ... ... | 7,351 | | |
| Miscellaneous Expenditure | 2,661 | | |
| Total Ordinary Working Expenditure ... ... | 68,687 | | |
| Depreciation ... ... | 10,023 | | |
| Total Expenditure ... | 78,710 | | |
| Balance Net Earnings ... | 52,650 | | |
| Total ... ... ... | £131,360 | | £131,360 |

## Ships and Tonnages entering Kilindini.

*Year Ending 31st December*, 1927.

| | |
|---|---|
| Steamships entered ... ... ... ... ... | 593 |
| Net registered tonnage ... ... ... ... | 1,703,876 |
| Imports (B/L tons) ... ... ... ... ... | 369,765 |
| Exports (B/L tons) ... ... ... ... ... | 323,036 |

## Tanganyika Railways and Marine.

The system at the end of March, 1927, comprised 1,134 miles of open lines of metre gauge, with a total track mileage, including loops and sidings, of 1,186 miles.

The system also includes a service on Lake Tanganyika maintained by the steamship "Mwanza," the Lindi Tramway, the Ports on the sea coast, and the Nyanza Salt Works.

| | |
|---|---|
| Total train mileage... ... ... ... ... ... ... | 764,688 |
| Total tonnage carried ... ... ... ... ... ... | 164,948 |
| Ratio percentage of working expenditure to earnings ... ... | 98·08 |
| Gross earnings (all services) ... ... ... ... ... | £511,145 |
| Ordinary working expenditure (all services) ... ... ... | £486,752 |

CAPITAL COST TO 31ST MARCH, 1927.

| — | *Central Railway.* | *Tanga Railway.* | *Lindi Tramways.* | *Combined Railways.* |
|---|---|---|---|---|
| | £ | £ | £ | £ |
| German Capital (approximate figures only available). | 4,014,050 | 880,000 | — | 4,894,050 |
| *British Capital:*— | | | | |
| Railways to 31st March, 1927 ... | 1,295,309 | 210,003 | 13,730 | 1,519,042 |
| Lake services ... ... ... | — | — | — | 29,425 |
| Marine department ... ... | — | — | — | 7,662 |
| | £5,309,359 | £1,090,003 | £13,730 | £6,450,179 |

REVENUE ACCOUNT, YEAR ENDED 31ST MARCH, 1927.

RAILWAYS AND MARINE.

| *Expenditure.* *To*— | £ | *Receipts.* *By*— | £ |
|---|---|---|---|
| Maintenance of Way and Works ... ... ... | 79,096 | Coaching ... ... ... | 102,911 |
| Locomotive, Carriage and Wagon Expenses ... | 160,441 | Goods ... ... ... | 354,753 |
| Traffic Expenses ... ... | 55,330 | Telegraphs and Sundries ... | 11,343 |
| General Charges ... ... | 39,974 | Steamboat Services... ... | 2,372 |
| Lake Steamship Service ... | 2,528 | Lindi Tramway Receipts ... | 2,256 |
| Special and Miscellaneous Expenditure ... ... | 58,220 | Tabora Electric Light Receipts ... ... ... | 3,768 |
| Interest on Loan ... ... | 60,332 | Marine Receipts ... ... | 33,742 |
| Lindi Tramway Expenditure ... ... ... | 1,169 | | |
| Tabora Electric Light Expenditure ... ... ... | 2,886 | | |
| Marine Expenditure ... | 26,776 | | |
| | £486,752 | | £511,145 |

SHIPS AND TONNAGES ENTERING TANGA AND DAR-ES-SALAAM.

*Year ending 31st December*, 1927.

| — | *Tanga.* | *Dar-es-Salaam.* |
|---|---|---|
| Steamships entered ... ... ... ... | 257 | 363 |
| Net registered tonnage ... ... ... | 666,120 | 941,052 |
| Imports (B/L tons) ... ... ... ... | 17,380 | 91,686 |
| Exports (B/L tons) ... ... ... ... | 33,781 | 56,134 |

## LETTERS TO THE SECRETARY OF STATE FOR THE COLONIES ON THE SUBJECT OF THE DRAFT KENYA NATIVE LANDS TRUST ORDINANCE.

Leinster Corner,
Lancaster Gate, W.2.
22nd October, 1928.

**East African Commission.**

MY DEAR SECRETARY OF STATE,

It will be within your memory that on a recent occasion I wrote to you on behalf of my colleagues of this Commission and myself suggesting that the consideration of the Kenya Land Ordinance should not be completed until there had been an opportunity of reviewing it in the light of the recommendations of our Report—a suggestion that you were able to meet.

The Report has now been signed, and contains passages which relate to the general principles that should, in our opinion, be observed in such legislation.

It is further stated in the Report that some of the members of the Commission are communicating to you their interpretation of the application of those general principles to this particular Ordinance: and I believe that you have already received, or will very shortly receive, the communication in question, which will bear the signatures of Sir R. Mant, Sir G. Schuster, and Mr. Oldham.

I have no doubt that it will be of service to you to be informed of this communication, at an early date, since you may desire to give consideration to the question of its publication, either with the Report or otherwise.

The communication in question does not bear my signature, for the following reasons: It was in my opinion appropriate that the Commission should consider the general principles that should be observed in such legislation, and state conclusions thereon. On the other hand, it does not appear to me that the Commission is an appropriate body to review in detail a particular measure, or to make specific recommendations about an Ordinance that had already been under consideration by the Secretary of State and the Government and Legislature of Kenya.

I have confined myself therefore to the original recommendation that the measure should be considered in the light of the recommendations of our Report.

I remain yours sincerely,
E. HILTON YOUNG.

To the Right Honourable L. C. M. S. Amery, M.P.

Downing Street,
17th October, 1928.

SIR,

We have the honour to refer to Sir Hilton Young's letter of the 15th of June, in which he asked on his and our behalf that any decisive action in the matter of the Kenya Native Lands Trust Ordinance might be postponed until our recommendations had been considered.

As your accession to this request has necessitated a suspension of proceedings in Kenya, and the intervention of our Commission has attracted some public attention, we feel it only right that we should inform you now in detail of our views as to the relation between what we have said in our Report and the provisions of the Ordinance.

We should have hesitated to make our original request to you, as such action might be interpreted as going beyond our terms of reference, but a right solution of the land question has so important a bearing on the constitutional proposals made in the body of our Report, and on the principles of native policy which we have endeavoured to formulate, that we have felt that we should be failing in our duty if we did not let you know our views on the particular measure in question.

The following remarks should be read together with what we have said in our Report. We have endeavoured to make ourselves familiar with the course of events which have led up to the introduction of this Ordinance and some account of our interpretation of these is necessary in order to make our views clear on the whole question at issue.

As fully explained in the report of the Parliamentary Commission the situation as regards the title to native lands when they visited Kenya in 1924 was far from satisfactory. The following passage from their report brings out the chief points.*

> " At every meeting we had with the natives of Kenya Colony there was evidence of a feeling of insecurity as regards the tenure of their lands. The legal position appears to be that no individual native and no native tribe as a whole has any right to land in the Colony which can be recognised by the Courts. This position is summarised in an often-quoted extract from a decision of the Kenya High Court in a Kikuyu land case in 1921:—
>
> > ' In my view the effect of the Crown Lands Ordinance, 1915, and the Kenya (Annexation) Order in Council, 1920, by which no native rights were reserved, and the Kenya Colony Order in Council, 1921, as I have already stated, is clearly, *inter alia*, to vest land reserved for the use of the native tribe in the Crown. If that be so, then all the native rights in such reserved land, whatever they were under the Gethaka system, disappeared, and the natives in occupation of such Crown lands became tenants at will of the Crown of the land actually occupied.' "

* *Cf.* Cmd. 2387, pp. 28 and 29.

The report then commented on the disquiet that the above-quoted judgment had caused in the native mind, and indicated two further unsatisfactory features; first, that the boundaries of the lands reserved " for native use " had only in a few cases been defined; secondly, that no effective bar to alienation had in practice been provided because, although the Kenya Government were not entitled to alienate land from a native reserve without the consent of the Secretary of State, alienation had in the past actually been made without his prior consent and it had not been really " practicable to reverse the action taken." That is to say, the effect was that the Crown owned the land and was bound by no effective Trust to preserve it for the benefit of the natives.

Since the report of the Parliamentary Commission the position has been greatly improved under the present Governor in that the boundaries of all the native reserves have been settled and gazetted. There has also been further legislation on the subject and it is necessary to examine the position created by this in order to appreciate the significance of the present draft Bill.

In dealing with this question of native land rights there are two main aspects for consideration.

The first and principal need, which may be described as the " protective need " is to fix the areas to be set aside, and to provide secure protection for the preservation of the beneficial rights over such areas to the natives.

The second and almost equally important need, which we will call " the constructive need " is to provide for dealing with the actual use of the land in such a manner as will be of the greatest benefit to the natives.

There are various ways in which this latter need arises. Thus, there already exist in practice certain native rights of user of the land—other than tribal rights of cultivation and grazing, or " clan " and family rights. The first question therefore in dealing with the land is whether these existing rights are to be preserved exactly in their present form for ever, or whether elasticity is to be allowed for the conversion of such rights into different forms, in accordance with the evolution of native agricultural methods and social organization. We have already stated in dealing with land policy in the main body of our Report that it cannot be supposed that the existing native systems of communal or clan cultivating rights will be permanently suitable for them, and that the need is likely to arise for some secured form of individual tenure. To watch over and guide development in this direction must be one of the most important duties of the Government, and this must be taken into account in any legislation as regards land.

Again, apart from this possible need for modification of land rights as between natives themselves, it is also conceivable that the native inhabitants of a particular reserve may not be able to cultivate the whole of the land, and that it might then be to their benefit to dispose of it to outsiders for some other consideration. A reasonable opportunity for this must therefore also be preserved in any land legislation.

It is the provision for this latter purpose, " the constructive need ", which has proved the most difficult and controversial question in legislation.

The effect of the previous legislation in Kenya on the subject can now be examined in the light of the above analysis of needs.

The Crown Lands Ordinance of 1915 contained the following principal provisions :—

For dealing with the " protective need " Section 54 gave the Governor power " to reserve from sale, lease or other disposal " any Crown land which in his opinion was required for the use or support of the native tribes of the Colony, subject to notice of any such reservation being published in the Gazette.

On the " constructive " side its main provision was in Section 56, which reads as follows :—

> " The Governor-in-Council may, at any time by notice in the Gazette, if satisfied that the whole or any part of any land so reserved is not required for the use and support of the members of the native tribe for which it has been reserved, cancel such reservation as regards the whole or a part of such land and thereupon the land the reservation of which has been so cancelled may be sold, leased or otherwise disposed of under this Ordinance: Provided that such notice shall not be published unless the approval of the Secretary of State shall have been first obtained."

Thus the main effect was that on the protective side nothing in the nature of an inviolable native reserve was to be created. Land could be withheld from disposal by the Crown under Section 54, but under Section 56 it could be released again. The main protection was that the consent of the Secretary of State had to be obtained, but, as already noted, this provision had on occasion been disregarded.

The Crown Lands Amendment Ordinance of 1926 was apparently directed at improving this position. The Governor was empowered to declare an area to be a " Native Reserve," and such land was then to be " reserved for the benefit of the native tribes of the Colony."

These words were clearly intended to be construed as attaching a more permanent character to a " Native Reserve," and it is in accordance with this spirit that a new provision was introduced which was aimed at meeting the " constructive need " by providing for the utilization of land not required by the natives

*without its being excised from the Reserves** and specifically limiting the purposes of such utilization to *purposes beneficial to the inhabitants* of the reserves. Although the main provision of the amending Ordinance was thus directed at strengthening the beneficial rights of the native, a critic on the native side might cast doubts on the practical effect for this purpose. Section 56 of the 1915 Ordinance remained unrepealed, even if it was no longer intended to make use of its provisions, while the exercise of the new power for disposing of land was not, as in the case of the old power, made subject to the approval of the Secretary of State. It is true that the new power was only to be exercisable according to rules to be made under Section 58 of the 1915 Ordinance, which rules would be subject to disallowance by His Majesty, but until these were actually made the position was left quite uncertain.

No such rules have in fact been made and it was apparently decided that it would be more satisfactory to pass a new and comprehensive Ordinance which in effect would contain its own rules.

It is to the draft for this new Ordinance entitled " The Native Lands Trust Ordinance " that our attention has been directed. According to the provisions as drafted, the Ordinance would repeal the existing legislation dealing with the reservation of land for the use of native tribes (i.e., Sections 54-57 of the Ordinance of 1915 as amended by the Ordinance of 1926), leaving intact, however, Section 58 of the Ordinance of 1915 empowering the

* We understand that this was the principal intention of the 1926 Ordinance from the explanatory note on its purposes prepared at the time by the Attorney-General. The relevant sections read as follows :—

"2. Section 54 of the Principal Ordinance is hereby repealed, and in lieu thereof shall be read the following :—

"'54. (1) The Governor-in-Council may by notice in the Gazette declare that any area of Crown land, either by general or particular description and whether the same has been surveyed or not, shall be a Native Reserve.

"'(2) Any land declared to be a Native Reserve under this section shall be reserved for the benefit of the native tribes of the Colony : Provided that such reservation shall not confer on any tribe or member of any tribe any right to alienate the land so reserved or any part thereof.'

"3. Section 55 of the Principal Ordinance is hereby repealed, and in lieu thereof shall be read the following :—

"'55. No land in a Native Reserve shall be sold, leased or otherwise disposed of under this Ordinance : Provided, however, that portions of the land in a Native Reserve may, subject to and in accordance with Rules made under Section 58 † of this Ordinance, be let on lease or licence, or otherwise set apart or utilised, for purposes beneficial to the inhabitants of suc Reserve.'"

† *Note.*—Under Section 58 of the Ordinance of 1915 the Governor-in-Council is empowered to make rules for the management and control of any land reserved for the use of the members of a native tribe and under Section 151 (3) of the same Ordinance all rules are made subject to disallowance by His Majesty

Governor-in-Council to make rules for the management and control of native reserves, and would provide in new and comprehensive fashion :—

(1) For security of tribal tenure in the reserves which have already been gazetted and for the creation of further reserves as required, and

(2) Under safeguards, for the exclusion from native reserves of land required for public purposes and for the grant of leases up to 99 years or licences in native reserves to natives or non-natives.

For dealing with the second purpose the draft Ordinance proposes new machinery. It provides (Section 4) that all lands in native reserves and all matters relating thereto shall be under the management and control of a Native Lands Trust Board (also called the Central Board). This Board is to consist of the Governor, as President, with five official and four nominated unofficial members and is to act in consultation with Local Advisory Boards consisting of two official members, one nominated European unofficial member, and one African member, which are to be constituted in every administrative district in which one or more native reserves may be situated.

In granting leases and licences, fixing rents and terms and conditions and excluding land from native reserves for public purposes, it is proposed that the Governor should act with the advice and consent of the Central Board. The prior approval of the Secretary of State is to be required only when a local Native Council or the African member of a local Advisory Board objects to the grant of a lease or licence, or when the African member of a Local Advisory Board objects to the exclusion for public purposes of an area (exceeding 200 acres) from a native reserve.

The draft Ordinance also provides that all rents, etc., accruing from land in a native reserve shall be paid to the Local Native Fund or to the Natives' Trust Fund.

In meeting what we have described as " the protective need " the new proposals represent an advance on existing legislation in that by the repeal of Section 56 of the Ordinance of 1915 they definitely remove the possibility of excision of areas from native reserves, while they use more emphatic words as to the inviolability of native reserves by laying down in Section 2 that " the areas of Crown land described in Government Notice No. 394, published in the Official Gazette of the Colony, dated the 13th day of October, 1926, are hereby declared to be Native Reserves, and are reserved and set aside for the use and benefit of the native tribes of the Colony *for ever.*"

On the other hand, in meeting what we have described as " the constructive need " it appears to us, after very careful consideration, that the new proposals involve dangerous possibilities in that

as regards opportunities for alienating the land from native use they not only open the door too wide, but also provide inappropriate machinery for guarding it. It will be apparent from what we have already said that we fully recognise the importance of the constructive side of native land policy. It is not sufficient merely to reserve the land under the dead hand of a rigid and unalterable legal restriction, and it is a necessary consequence of these considerations that a measure which really aims at preserving the beneficial use of land to the natives must include regulations for handling it. We do not, therefore, in any way associate ourselves with criticisms to the effect that the presence of such clauses shows that the Bill is not honestly aimed at achieving the purposes which it pretends to pursue.

Moreover, we recognise that all parties in Kenya have testified their desire to treat the natives fairly in regard to land. The Governor stated in his speech introducing the Bill that the object which the Government of Kenya had in preparing this legislation was " to give the native tribes in the Colony an abiding security in the use and enjoyment of the lands set aside for them," since " the most vital consideration in safeguarding native freedom is adequate land and security for that land," while it is evident from the speeches made by the elected European members in the debates on the Bill that they were in full sympathy with the aim and purpose of the Ordinance set forth by the Governor.

Nevertheless, after very careful consideration, we are not satisfied that all its possible effects have been fully appreciated by those who have supported it, or that the machinery which it proposes to set up will in practice be either appropriate or effective for securing the observance of the principles that we have formulated in the main body of our Report. To explain the considerations which have influenced us in arriving at this conclusion it is necessary to consider objectively the purposes to meet which the draft Ordinance has been framed.

We are fortunate in having a very clear exposition of its purpose in the speech made by the Governor in the Legislative Council on the 12th May, 1928, from which we think it best to quote fully so that the context of the various important phrases may be clear.

The Governor described that portion of the Bill which we are now considering as :—

> " the leasehold clauses in the Bill, which provide that land in the reserves may be let out on lease for any period not exceeding ninety-nine years under certain conditions of a very stringent kind."

He then explained that :—

> " the first object of these clauses has nothing to do with alienation from the tribe concerned. It is to provide that individual leasehold tenure may be introduced for the benefit of members of the tribe to which the Reserve as a whole is secured."

The speech proceeded as follows :—

"This, however, is by no means the only purpose which the leasehold clauses are intended to serve. I have dealt so far with the possibility that the Reserves now gazetted may not prove large enough for a greatly-increased population. It is equally necessary to deal with the possibility that some of them may prove too large and rich for effective use as a whole by any possible increase of their tribal population. The Reserves contain a large proportion of what is even now the richest land in the Colony; but they also contain large areas in which the capacity of the land may be almost incalculably increased by the discovery and conservation of water, the growth of agricultural experience, and the progress of animal husbandry. Water-boring has transformed the value of land in many other parts of the Empire; and it is already giving proof of its potentialities in this Colony. If this possibility is realised—and no one at the present time can pretend to estimate the potential value of such empty land in the Colony—there will inevitably be large parts of some Reserves which cannot be developed by their own population and which cannot be locked up for ever without producing a dangerous reaction against the whole policy of Reserves as uneconomic and unreasonable.

"I am convinced that this contingency must be met as squarely as the other; and it may be met in more than one way by the leasehold clauses in the Bill. In the first place, the tribe owning spare land may lease it to members of another tribe for development. I think this may be of special advantage to the pastoral tribes owning areas of agricultural land which they have not themselves the will or the knowledge to develop. The tribe which leases the land will gain, not only by the rents, but also in time, by the example; and those who rent it may find an opening larger than exists for them in their own Reserve.

"In the second place, it may well be that valuable land in the Reserves may not prove capable of development without the application of capital on a larger scale than is possible for the unaided native. In such cases there may be an opportunity, with great benefit to the natives concerned, for joint undertakings between Government, private European enterprise, and the native, such as have been launched with great success in the Sudan and in some parts of India. For such undertakings security of tenure over a period of years would be essential.

"In the third place, the leasehold clauses provide an opening for European private enterprise in the ordinary form. This also may be of great benefit to natives having land in the Reserve which they cannot themselves develop, for they will draw the rents and can apply them to improvement in the Reserve which might otherwise be beyond their means altogether. In all cases, the rent must go to the natives in whose Reserve the leased land is situated, and I submit that the conditions governing any alienation by lease are strict enough to preclude any danger that the leasing clause may be used to take land from any native community in opposition either to its will or its interests."

From these remarks it is apparent that the Governor had two very distinct objects in view, first, the possible re-arrangement of land rights as between the native inhabitants of a Reserve themselves; secondly, the provision of the best means for making beneficial use of land not actually required by the native inhabitants

of a Reserve. This division is in accord with our own previous analysis of what we have described as the " constructive need."

As regards the first object, we have already stated our recognition of the need for meeting it. But we do not see that the provisions of the present Bill help in this direction. The Governor said in his speech when dealing with the development of native systems of land tenure that " The process must be tentative and gradual and it will call for the most careful study of native customs in each tribe ". With this we entirely agree, but the necessary study is primarily the duty of the Native Affairs Department of the Government. Possibly at some stage it will be desirable to set up a special commission of enquiry, whose duty, *inter alia*, will be to consult experts and examine all the records of experience in other countries on this question. There would be no objection to one or two suitably qualified unofficials being included on such a commission of enquiry. Normally, however, the continuous study of native customs within Kenya itself and the constant watching of developments must be the responsibility of the Native Affairs Department working through the administrative officers throughout the country. We cannot see how the creation of the special permanent Boards proposed under the ordinance will help the study, or that they would afford an appropriate organization for undertaking it.*

We can now turn to the second main object of the proposals as stated by the Governor—the provision of facilities for making the most beneficial use of the land, the consideration of which is necessary owing to the " possibility that some of the Reserves may prove too large and rich for effective use as a whole by any possible increase of their tribal population."

The Governor mentioned three principal ways in which the alienation of the use of land to outsiders might be beneficial to the natives of a Reserve.

As to the first of these, the leasing of spare land by one tribe to another, this would not conflict with the principles which we have formulated. Any proposal, however, to do this on a large scale would demand very careful consideration, for such an arrangement might ultimately lead to friction between tribes. It could hardly be made on any but a permanent basis, for it would be a matter of grave difficulty to displace a population which had come to rely on the occupation of an area for the normal conduct of its life. The decision to be taken in such a case would be a matter of first-class importance demanding the direct consideration of the Government, which could not divest itself of

* Since writing this passage we have learned that in June, 1928, the Governor informed the Secretary of State that he was satisfied that it was better to deal with native customary tenure within the Reserves by a separate further Ordinance after a full investigation in each area, which he proposed to institute as soon as the Lands Trust Bill was passed. Our interpretation of the position is therefore confirmed.

sole responsibility; and it does not seem fitting that the Government should delegate the authority for such a purpose to a Board of the nature which it is proposed to set up under the Bill. Moreover, transactions of this kind are of such political importance that, until further experience has been gained and policy more clearly worked out, they should be submitted for sanction by the Secretary of State representing the authority of the Imperial Government.

As to the second of the objects, the facilitation of development schemes, it might well be to the great advantage of the natives that such schemes as are referred to by the Governor should be inaugurated for the introduction of new methods of cultivation over a wide area. We have referred to projects of this kind in an analysis of the various possible kinds of economic development in the section of Chapter III dealing with that subject. But such schemes will not be of frequent occurrence, and will need careful and special examination in each case, especially as regards the alienation of rights over land as a condition for their introduction. The Governor includes the possibility of such schemes as part of the general justification for the leasehold provisions of the Bill by the use of a general phrase that " For such undertakings, security of tenure over a period of years would be essential." This phrase requires examination in relation to the actual possibilities.

If new possibilities of cultivation or grazing in a particular area can be created by the improvement of drinking-water supplies either by a systematic scheme of well-boring, creation of reservoirs, or otherwise, it is at least doubtful if this would necessitate the alienation of large areas of land to those undertaking the capital expenditure. A return on the capital could be obtained in other ways—such as by levying a water rent. Moreover, projects of this kind in native areas in a country like Kenya would probably best be undertaken by the Government. Certainly, in the special conditions, and having regard to the sensitive attitude of the natives about their land and rights, it would appear most undesirable that private capital should be attracted by the grant of long leases of large areas of land in the native reserves.

If, on the other hand, irrigation schemes can be carried out, it is desirable that the land rights of the natives should be affected as little as possible. The Governor has referred to the large irrigation schemes in India and the Sudan. But these afford no precedent for the alienation of native-owned land to non-natives. In the case of the large Indian irrigation schemes the existing rights of the Indian cultivators are carefully respected. The Government undertakes the irrigation works and gets a return on its capital from water rates or enhancement of land revenue.

In the case of the Gezira project in the Sudan, before anything was done the native land rights were carefully guarded. A complete

survey of individual rights was carried out, taking several years to complete. All native claims were recognised, and titles of individual freehold ownership of land registered. A comparatively small portion, mostly of interior land, remained to which no native claims attached, and this was registered as Government land. Before inaugurating the irrigation schemes the Government passed legislation giving itself the right to take over any land required on lease for 40 years from the individual native owners at a rent of 2s. per acre, this being considerably more than the market value. This power of compulsory leasing was exercised step by step as the land was brought into the scheme, but at the same time the freeholders were given the right to take up tenancies in the area where they had freehold rights. The Government then introduced a private company—the Sudan Plantations Syndicate, Ltd.—to act as its agricultural managers in return for a share of the cotton crop. The concession to the Syndicate was in the first place for ten years only, recently extended to twenty-five years in return for a reduction of the Syndicate's share. The extension was only allowed after the successful working of the scheme, and its popularity with the natives, had been demonstrated in practice.

The Sudan scheme has indeed involved dealing with land rights; but the points to be noted are that the native position was, in the first place, absolutely secured in a manner which they understood. Each native affected retains his individual freehold rights and understands exactly what the lease means. Secondly, it was the Government which took the lease, and there was no alienation of land to a private concessionaire. Thirdly, each native remains in effect, if he so desires, in beneficial occupation as a tenant (during the forty years of the lease) of land as nearly as possible equivalent to his own freehold land.

We have entered into these details because they illustrate some of the considerations which have to be taken into account in schemes of this kind. But our remarks must not be understood as implying that it would never be justifiable to allow the alienation of land in order to enable schemes of such general benefit to be introduced.

The more important considerations appear to us to be two-fold. First, neither in India nor the Sudan has there been anything analogous to the Kenya Land Policy, that is to say a policy of setting aside reserves for natives, mainly for the purpose of defining the areas which, as being outside the reserves, could be regarded as free for alienation to non-natives. It is this alienation of land outside the reserves which opens the main opportunity in Kenya for development by non-natives, and the fact that this policy has been adopted makes it doubly important to be very careful as to further alienation within the reserves themselves.

Secondly, even if such schemes are possible, they will be of such importance as to require special enquiry and decision by the Government in each case. Their consideration therefore does not seem

to us to necessitate the creation of a permanent Board, nor would the Board proposed under the Bill be appropriate for the purpose. We arrive indeed at the same conclusions as in the case, already considered, of leases of large areas from one tribe to another, that proposals for such subjects ought to be considered by the Government, and that until further experience has been gained, and policy more clearly worked out, they are of such importance as to require sanction by the Secretary of State representing the authority of the Imperial Government.

We come now to the third of the objects of the leasehold clauses mentioned by the Governor—the provision of "an opening for European private enterprise in the ordinary form."

This object is the chief cause of our concern. While there can be no reasonable objection to the leasing of small sites for shops, warehouses, and factories to non-natives, which would not have an appreciable effect on the area of land available for native cultivation, the case is quite different for the leasing of large agricultural areas to non-natives. As stated in the passage which we have quoted from the report of the Parliamentary Commission, whose impressions were exactly confirmed by our own observations, the natives in Kenya are at the moment particularly sensitive and suspicious as to the security of their tenure. We were informed that in the Kikuyu reserve even the occupation of plots of one or two acres by the Agricultural Department to demonstrate methods of cultivation to the natives had been resented and resisted as casting a doubt on the inviolability of their rights of tenure. As we have already said, in the body of our Report, the reserves have really been created in order to define the opportunities for the alienation of land outside them, and it seems to us better, once these reserves have been set apart, to face such economic loss to the community as may result from their slow and perhaps inadequate development rather than that any step should be taken which might weaken native confidence in the good faith of the Government.

The alienation of substantial areas for long periods to European settlers would undoubtedly come to be regarded as a violation of their rights. Possibly, a few natives immediately affected might be tempted by the prospect of rents, but this would not excuse the Government. We are impressed by a very strong conviction that if, as a result of such provisions as the leasehold clauses of this Bill, it came about that substantial areas in the native reserves passed into the occupation under long-term leases of European settlers, such a result would in the end deal a blow to the confidence of the natives in the justice of British rule from which it might never be able to recover. If the safeguards which are included in the Bill are intended to guard against such a result and to prevent the alienation of important areas, then one may well ask what is the great significance or urgency of the measure.

The impression, however, which we have gained from all the reported discussions on this measure and from the Governor's speech, is that it is indeed contemplated that substantial areas may be alienated, but it is considered that " the conditions governing any alienation by lease are strict enough to preclude any danger that the leasing clauses may be used to take land from any native community in opposition either to its will or its interests."

We regret that we cannot feel the same confidence in the efficacy of the conditions. The Governor refers to the " will " and the " interests " of the natives. As regards the former, we cannot regard the provisions in the Bill for the consultation of the natives as more than an illusory protection. The natives at present are not fully responsible agents even to look after their own interests, much less those of future generations, nor is there any means of getting a responsible expression of corporate native opinion. If, for example, the lease of a large area of land had been granted to a non-native for 99 years, however definitely a native representative or a native council had given their assent to this in 1928, it cannot be imagined that it would satisfy the complaints of natives ten, twenty, thirty, or fifty years later, if they found themselves oppressed by shortage of land, and realised that a large part of what had been reserved for them had been taken out of their use till 2027. No money rent which they would be receiving would satisfy them in such a case, and they would say that the British Government which called itself their trustee ought to have protected them from selling their birthright. It may be argued in reply to this that according to the provisions of the Bill, the assent of the Secretary of State (who, as representing His Majesty's Government, is the real " Trustee " in this case) is necessary before an alienation is permitted to which any native, who has to be consulted, objects. But an advocate on the native side might well ask: what would be thought of a trustee for a young and totally unsophisticated minor who delegated to others the power to deal with the trust property, subject only to the provision that he—the Trustee—should be consulted if the minor ever objected to any scheme proposed? The " minor " moreover is only a life tenant, after all, and may well be tempted by an immediate money payment. The " will " of the natives in fact means very little at the present stage, and consultation with them will neither provide a sufficient safeguard against mistakes, nor reduce in any degree the ultimate responsibility of the British Government.

Leaving this out of account, one is left to ask whether the safeguards are sufficient to prevent anything being done contrary to the " interests " of the natives. The answer to this must depend on whether there really is any land which is not now required, and is not likely to be required, by them during the period of any lease that may be granted. We do not wish to express any

judgment as to the adequacy of the present reserves. This could only be done after a long and detailed enquiry, which we had no time to undertake. Without implying any suggestion that they are inadequate, we think that such an enquiry ought to be undertaken under the direction of the Central Authority, which we have proposed, so that there may be some authoritative evidence and record that the position has been adjudged as satisfactory after a thorough investigation by an independent and impartial authority. In the meanwhile, if we have seen no evidence to establish a case that the reserves are inadequate, there is an equal absence of proof that they are too large, and it must in any case be impossible for a tribunal to say now that there is land which will not be required for 99 years. Even if shorter leases are granted, it may prove very difficult to remove European tenants once they are settled on estates.

Our conclusion is that until the natives are sufficiently educated and organized to express a responsible and intelligent opinion, until their probable requirements in land and the potentialities of the reserves to meet them can be assessed with much more certainty than at present, the leasing of substantial areas of land in the reserves to non-natives for cultivation ought not to be permitted except in very exceptional circumstances. We see no likelihood of such circumstances arising in the near future, and if they should arise we consider that, in view of the great importance of the possible effects of any alienation on a large scale, the decision ought for the present at least to be subject to the control of the Imperial Government.

We are thus brought to a similar conclusion as regards the leasing of land in native reserves for all the three objects mentioned by the Governor.

Leaving aside such minor purposes as the leasing of sites for small trading buildings, and the power of expropriation of moderate areas required for public purposes, the essence of our conclusion is that while we agree with the Governor that in reserving the land in trust for the natives care must be taken not to legislate so rigidly as to close the door to all facilities for dealing with it, nevertheless the interests affected are so vital that the control of the door must remain with the Imperial Government at least until policy and prospects are much more clearly worked out than at present. This is in accordance with the view which we have already stated, that in native policy, the Land question is the most fundamental of all, and is in a special sense the responsibility of the Imperial Government. It is also in accordance with precedents elsewhere, for in Southern Rhodesia the alienation of land in the reserves is subject to the approval of the High Commissioner for South Africa.

The control of the Imperial Government must mean for the present control by the Secretary of State. We see no objection to the

Governor-in-Council being authorised by legislation to dispose of applications to lease small sites for shops, ginneries, etc., and to sanction the expropriation for public purposes of any site up to a specified limit; but applications for large areas, especially for purposes of cultivation, should be reserved for the prior approval of the Secretary of State.

We do not believe that an arrangement on these lines will in present conditions cause any unnecessary administrative inconvenience, for applications for large sites ought not, according to our view, to be considered except in very special cases, and after careful study in each case. Nevertheless, it cannot be regarded as entirely suitable for a permanent arrangement, since the Secretary of State has not at his disposal adequate means of informing himself directly regarding matters referred for his decision. It is, however, in our view, a necessary provision until more appropriate machinery for dealing with the question of land has been set up in Eastern Africa.* When the Central Authority as proposed by us has been firmly established, the power to approve the grant of leases or licences in special cases can be delegated to such an authority.

Such a suggestion is indeed, as we are glad to note, in accord with the views of the Governor of Kenya. In his speech to the Legislative Council, he said :—

> "The whole object of the Bill is, with the consent and good will of the whole Colony, to place the administration of land in the Reserves beyond the range of political pressure or interest. I wish, therefore, to say in unmistakable terms that the composition of the Central Board under this Ordinance must necessarily be modified when changes are made in the constitution of the Colony.
>
> "I do not believe that anyone will desire to see the independence and disinterestedness of the Board weakened by the infiltration of political influence. Long before that danger is in sight the Board will, I believe, pass by general agreement into the hands of a higher East African authority."

While agreeing with the final objective indicated in this passage, we are, for the reasons which we have stated, strongly of the opinion that until the Central Authority has been set up and is in a position to examine thoroughly the whole question, the control of the Secretary of State should be maintained.

If our view of the limitation of the leasing of land to non-natives is accepted, there would not appear to be any urgent need for the setting up of a Board, since the alienation of small sites for shops, ginneries, etc., can be dealt with by the ordinary administrative machinery under such regulations as may be laid down. We do

* We are aware, as already noted, that the Parliamentary Commission found that the control of the Secretary of State has not been effective in the past, but now that attention has been drawn to the matter, and that reserves have been clearly demarcated, we see no reason why it should not be effective in the future.

not, however, see any serious objection to the supervision of such minor transactions being handed over to the Board if it is thought desirable. In regard, however, to the further provisions of the Ordinance that " all lands in the Native Reserves and all matters relating thereto are hereby declared to be under the management and control of the Central Board, and all such lands shall be administered for the use and benefit of the native tribes," and that the Central Board should consult local Boards in regard to " all matters relating to the management and development of land in a Native Reserve," it appears to us that the management and administration of land is so intimately bound up with general native administration that it is not advisable to entrust these functions to a Board separate from the Native Affairs Department. We recommend elsewhere the appointment of an advisory board in connection with the Native Affairs Department, and in this way unofficial opinion could be brought into contact with policy for dealing with native lands. But it would be in an advisory capacity, so that danger of conflict between it and the administrative work of the Native Affairs Department would be avoided.

We have the honour to be,

Sir,

Your most obedient servants,

R. A. MANT.
GEORGE SCHUSTER.
J. H. OLDHAM.

(2671—1) Wt. 9673—2098 3000 12/28 P. St. G 3

MAP No. I.

# SKETCH MAP OF KENYA UGANDA AND TANGANYIKA

SHEWING AREAS ABOVE 1500 & 6500 METRES
RAILWAYS AND POSSIBLE BRANCH LINES AND EXTENSIONS

ALTITUDES OF ABOVE 1500' SHOWN BLACK.
ALTITUDES OF 1500' TO 2500' SHOWN HATCHED.
INTERNATIONAL BOUNDARY +++
INTERCOLONIAL " ——

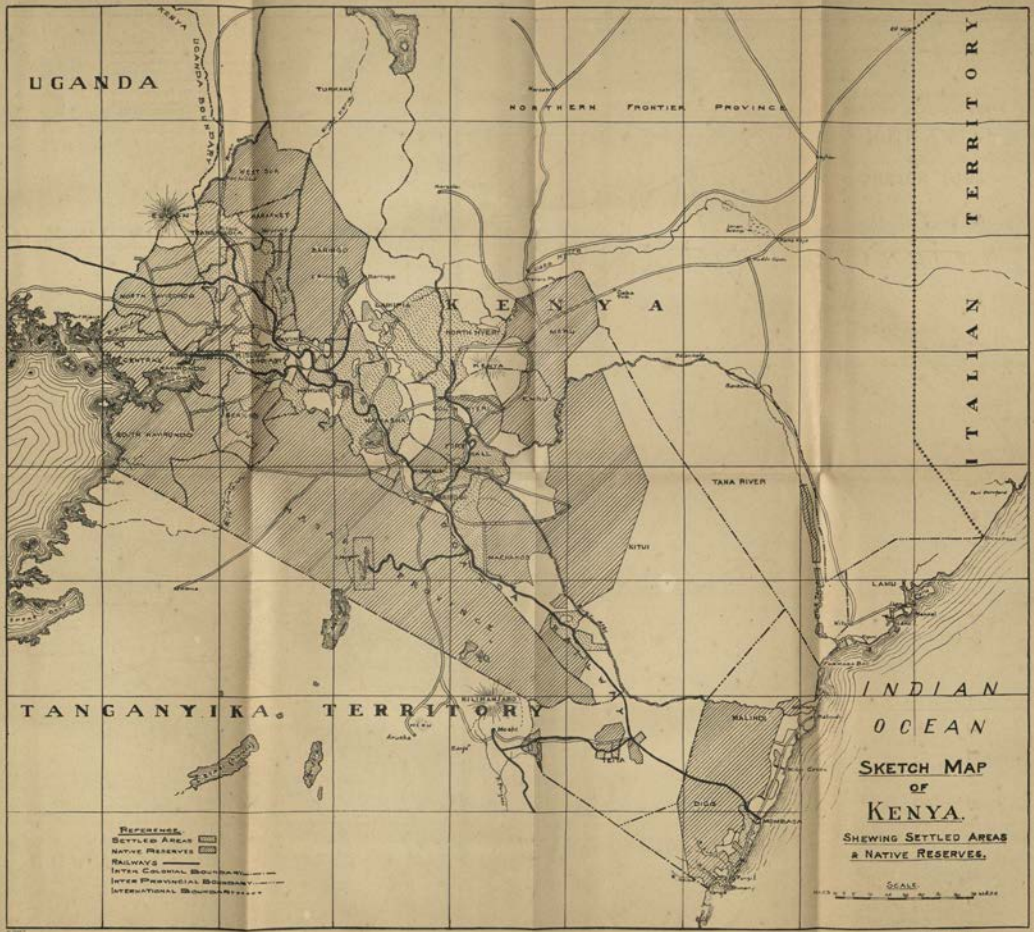
RAILWAYS EXISTING ——
DO. UNDER CONSTRUCTION OR APPROVED ----
DO. POSSIBLE ROUTES .....

SCALE
MILES 0 25 50 75 100 125 150 175 200

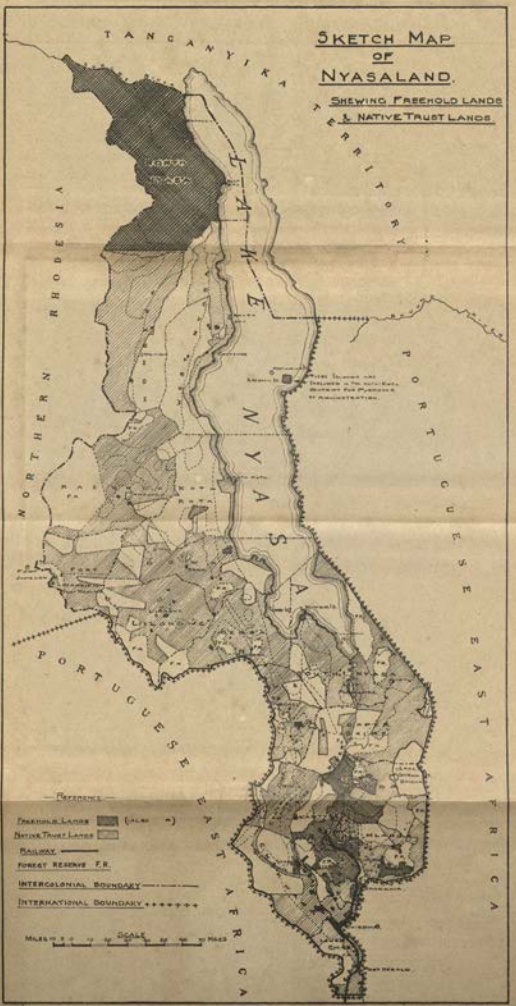
MAP NO. II.

SKETCH MAP
OF
NORTHERN RHODESIA & NYASALAND.
SHEWING ALTITUDES ABOVE 1500 & 2500 METRES &
RAILWAYS.
SCALE
MILES
KILOMETRES
TANGANYIKA TERRITORY
BELGIAN CONGO
PORTUGUESE WEST AFRICA
SOUTHERN RHODESIA
KASEMPA
MWINILUNDA
SOLWEZI
BALOVALE
KALABO
LEALUI
MANKOY
BAROTSE
NAMWALA
MUMBWA
KAFUE
LUSAKA
FEIRA
CHILANGA
NDOLA
KAWAMBWA
KASAMA
FORT ROSEBERY
ABERCORN
FIPA
TUKUYU
MBEYA
IRINGA
MPIKA
SERENJE
PETAUKE
FORT JAMESON
FORT MANNING
FORT HILL
PORTUGUESE EAST AFRICA
LAKE NYASA
LAKE BANGWEULU
LUANGWA
LUAPULA
KAFUE
ZAMBESI
REFERENCE.
RAILWAYS
INTERNATIONAL BOUNDARY
INTERCOLONIAL "
INTERPROVINCIAL "

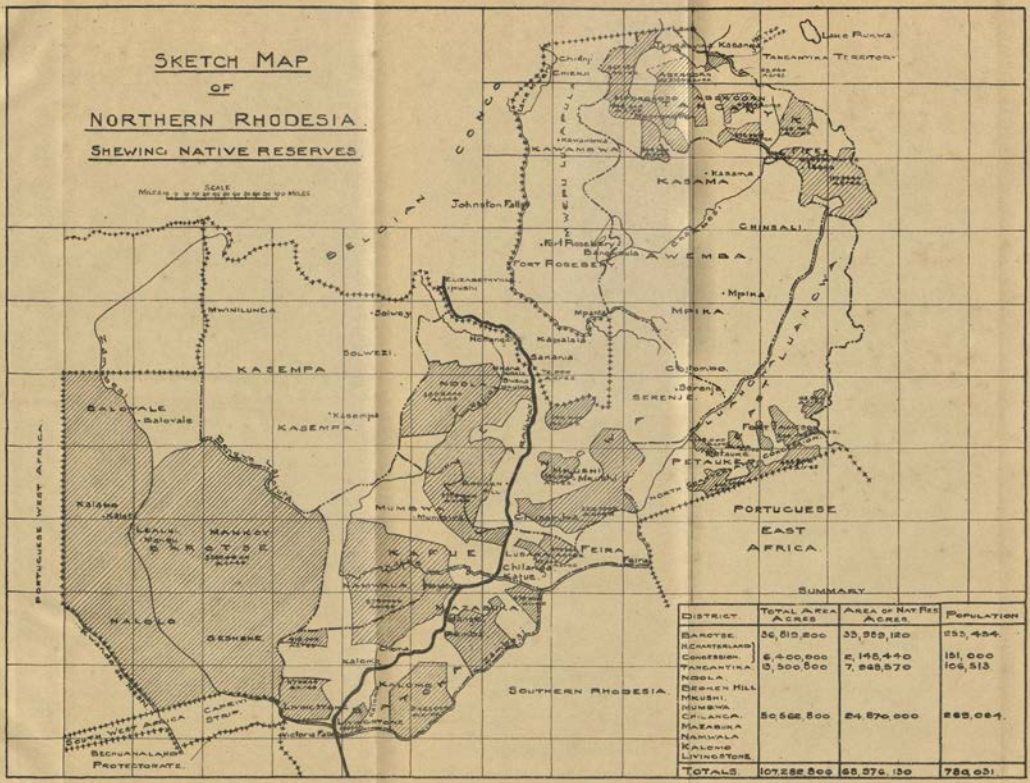
MAP No. III.


UGANDA
KENYA
NORTHERN FRONTIER PROVINCE
ITALIAN TERRITORY
TANGANYIKA TERRITORY
INDIAN OCEAN
TANA RIVER
SKETCH MAP OF KENYA.
SHEWING SETTLED AREAS & NATIVE RESERVES.
REFERENCE.
SETTLED AREAS
NATIVE RESERVES
RAILWAYS
INTER COLONIAL BOUNDARY
INTER PROVINCIAL BOUNDARY
INTERNATIONAL BOUNDARY
SCALE.

# MAP No. IV.

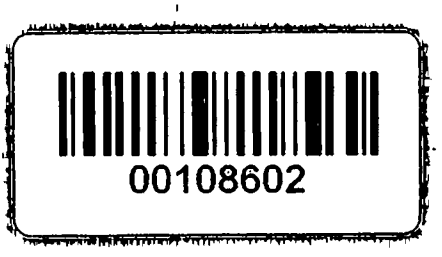

SKETCH MAP
OF
NYASALAND.
SHEWING FREEHOLD LANDS
& NATIVE TRUST LANDS
TANGANYIKA TERRITORY
NORTHERN RHODESIA
NYASALAND
PORTUGUESE EAST AFRICA
PORTUGUESE EAST AFRICA
REFERENCE
FREEHOLD LANDS
NATIVE TRUST LANDS
RAILWAY
FOREST RESERVES F.R.
INTERCOLONIAL BOUNDARY
INTERNATIONAL BOUNDARY
SCALE
MILES

MAP No. V.




| District | Total Area Acres | Area of Nat. Res. Acres | Population |
|---|---|---|---|
| Barotse, N. Charterland Concession | 36,815,800 | 33,959,120 | 653,454 |
| Tanganyika | 6,400,000 | 5,148,440 | 181,000 |
| Nbola, Broken Hill, Mkushi, Mumbwa, Chilanga, Mazabuka, Namwala, Kalomo, Livingstone | 13,300,800 | 7,828,870 | 106,513 |
| | 50,562,800 | 24,870,000 | 565,084 |
| Totals | 107,282,800 | 65,376,130 | 780,051 |

Malby & Sons, Photo-Litho.

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